

## WEST VIRGINIA

Ila Lawson to be postmaster at Jane Lew, W. Va., in place of Ila Lawson. Incumbent's commission expired December 17, 1929.

Lucille Hupp to be postmaster at Power, W. Va. Office became presidential July 1, 1928.

James D. Huber to be postmaster at Reedsville, W. Va., in place of J. D. Huber. Incumbent's commission expired March 29, 1930.

## WISCONSIN

Halvor Thorson to be postmaster at Hawkins, Wis., in place of Halvor Thorson. Incumbent's commission expired March 31, 1930.

John Lindow to be postmaster at Manawa, Wis., in place of John Lindow. Incumbent's commission expired March 26, 1930.

Carl E. Reichenbach to be postmaster at Merrillan, Wis., in place of C. E. Reichenbach. Incumbent's commission expired January 18, 1930.

John E. Himley to be postmaster at Wabeno, Wis., in place of J. E. Himley. Incumbent's commission expired February 15, 1930.

## HOUSE OF REPRESENTATIVES

TUESDAY, April 1, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We thank Thee, O God, for Thy unfailing goodness around us, above us, and by day and night. How we wonder, yet we praise Thee for Thy unvarying mercy. We bow before Thee with the feeling of reproach because we are so often forgetful of the abundance of Thy love. Overrule whatever has been imperfect and sinful in us. Send us forth as heralds of wisdom and knowledge, whose duty it is to maintain the high standards of representative government. Before all men may we walk in the fear of God, honoring all Thy precepts. Bless us with urgency and zeal, with divine longings and aspirations that move the soul. Keep us in harmony with Thee, so that in our hearts there may be no bitterness, no hate, no envy, no jealousy, and nothing that hurts, but everything that breathes a benevolent and wise disposition. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

## CALENDAR WEDNESDAY BUSINESS

Mr. TILSON. Mr. Speaker, I ask unanimous consent that Calendar Wednesday business for to-morrow be dispensed with and be in order on Thursday next.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that Calendar Wednesday business, in order to-morrow, be postponed and considered in order on Thursday. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I do not intend to object, but I want the gentleman to state to the House the object of transferring Calendar Wednesday business to Thursday. If I am correctly informed, the gentleman intends that the rule to send the tariff bill to conference shall be introduced to-day, and it is the gentleman's purpose then to call up the rule to-morrow.

Mr. TILSON. If Calendar Wednesday business is postponed; yes.

Mr. GARNER. And the gentleman has asked for this postponement of Calendar Wednesday in order that we may vote on the rule at the earliest moment possible?

Mr. TILSON. The gentleman is correct.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

## THE TARIFF

Mr. SNELL, from the Committee on Rules, reported the following resolution for printing in the Record:

## House Resolution 197

*Resolved*, That immediately upon the adoption of this resolution the bill H. R. 2667 with Senate amendments thereto be, and the same hereby is, taken from the Speaker's table to the end that all Senate amendments be, and the same are, disagreed to and a conference is requested with the Senate upon the disagreeing votes of the two Houses.

The SPEAKER. Referred to the House Calendar and ordered printed.

At the request of Mr. TILSON, by unanimous consent, the Clerk read the resolution.

## DEPARTMENT OF JUSTICE

Mr. WOOD. Mr. Speaker, I ask unanimous consent for the immediate consideration of joint resolution (H. J. Res. 283) making additional appropriations for certain expenses under the Department of Justice for the remainder of the fiscal year 1930.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of the joint resolution (H. J. Res. 283), which the Clerk will report.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, I have a statement, informative in its character, concerning expenditures in the department provided for in the resolution. It is my understanding the gentleman will ask to have the resolution considered in the House as in Committee of the Whole. I think it will take me about 15 minutes to get the information which I have to the House. I want to ask the gentleman if he will facilitate my doing that. I will try to finish in less time, if possible.

Mr. WOOD. Is it information?

Mr. LA GUARDIA. I think it is. I think it is quite startling information.

Mr. WOOD. I have no objection.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The Clerk read the resolution, as follows:

*Resolved, etc.*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes herein set forth under the Department of Justice for the remainder of the fiscal year ending June 30, 1930, namely:

For salaries, fees, and expenses of United States marshals and their deputies, including the same objects specified under this head in the act making appropriations for the Department of Justice for the fiscal year 1930, \$425,000.

For mileage and per diems of jurors; for mileage and per diems of witnesses and for per diems in lieu of subsistence; including the same objects specified under this head in the act making appropriations for the Department of Justice for the fiscal year 1930, \$640,000.

For the support of United States prisoners, including the same objects specified under this head in the act making appropriations for the Department of Justice for the fiscal year 1930, \$1,600,000.

Mr. LA GUARDIA. Mr. Speaker, I move to strike out the last word, and ask unanimous consent to proceed for 10 minutes instead of 5.

The SPEAKER. The gentleman from New York moves to strike out the last word, and asks unanimous consent to proceed for 10 minutes instead of 5. Is there objection?

There was no objection.

Mr. LA GUARDIA. Mr. Speaker, the resolution under consideration provides funds to replenish deficiencies that now exist in the Department of Justice. The gentleman from Indiana stated yesterday that the cost of law enforcement had increased over 30 per cent, and there is no doubt that these items are directly chargeable to the increased activities in the department owing to the enforcement of prohibition. With that, of course, there can be no fault; but in this connection, Mr. Speaker, I want to call the attention of the House to the way the public funds are being spent. It does not happen to be from the Department of Justice, but directly connected with so-called prohibition enforcement.

In a little over a month a special agent of the department, a woman by the name of Kitty Costello, expended in the city of Washington \$532.81, and received in payment for her services in spending this money \$430. She was working with an agent by the name of Yates, and let me read you some of the expenditures of Agent Yates. These two agents started in the month of December and they registered at one of the hotels in the city of Washington under the name of Mr. and Mrs. Holden, and this is how they spent public funds:

On January 4, Washington, D. C.: Dinner party for three, \$5; whisky, \$5; taxi to and from party, \$2; tips, \$1; rent of room for undercover office, \$3; total (for that day), \$16.

January 5, Washington, D. C.: Dinner party for six, \$12; whisky for six, \$20; taxi for six, \$5; tips, \$2; breakfast, 50 cents; lunch, 50 cents; room rental, \$3; total, \$43.

January 6, Washington, D. C.: Dinner party for eight, \$16; whisky for eight, \$15; taxi for eight, \$3; tips, \$2; breakfast, 65 cents; lunch, 75 cents; and room rental, \$3; total, \$40.40.

January 7, Washington, D. C.: Dinner party for 10, total \$22; whisky, \$25; taxi, \$2.25; tips, \$2; breakfast, 60 cents; lunch 75 cents; rental of room, \$3; total \$55.00.

January 8, Washington, D. C.: Dinner party for six, \$10; whisky, \$10; taxi, \$2; tips, \$1.50; breakfast, lunch, rental of room, \$3; total, \$27.90.

January 15, Washington, D. C.: Room, \$3.

January 16, Washington, D. C.: Whisky \$10; taxi, \$1; rental of room, \$3; total, \$14.

January 17, Washington, D. C.: Whisky for three, \$10; taxi, \$1.20; breakfast, 50 cents; lunch, \$1.50; rental of room, \$3; total, \$16.50.

January 18, Washington, D. C.: Dinner party, three, \$6; whisky, \$10; taxi, tips, breakfast, lunch, room rent; total, \$23.65.

January 19, Washington, D. C.: Dinner for two, \$5; whisky, \$25. Party of 20, refreshments, \$8; taxi, tips, rental of room; total, \$43.75.

January 20, Washington, D. C.: Dinner for three, \$6; whisky for party, \$5; taxi, \$1; breakfast, \$1; lunch, \$1; rental of room, \$3; total, \$17.

January 21, Washington, D. C.: Dinner for two, \$3; whisky for seven, \$26; taxi, \$3.50; tips, \$1.50; breakfast, 75 cents; lunch for two, \$3; room rental, \$3; total, \$40.75.

January 22, Washington, D. C.: Dinner for eight, \$12; whisky, \$5; beer, \$1; taxi, \$2.50; tips, \$1; breakfast, 75 cents; lunch for two, \$3; rental of room, \$3; total \$28.25.

January 25, Washington, D. C.: Breakfast, 85 cents; lunch, \$1.25; Dinner, \$1.50; taxi, \$1.50; tips, \$1; total, \$6.10.

January 26, Washington, D. C.: Breakfast, 85 cents; lunch, \$1.25; dinner for three, \$4.75; taxi, \$5.25; tips, \$3.25; whisky, \$6.50; gin, \$5; food at Childs for five, \$8.50. Total, \$35.25.

January 27, Washington, D. C.: Breakfast for two, \$2.25; lunch for two, \$3; tips, \$3; taxi, \$4; whisky, \$10; dinner for three, \$6; late dinner at Childs, \$8.50. Total, \$36.75.

January 28, Washington, D. C.: Lunch for two, \$3; taxi, \$5; tips, \$3.75; lunch room for three in order to make purchases, \$4.75; six high balls, \$3; dinner at Wardman's for four, \$12; cover charge and ginger ale for four, \$6. Whisky for party of seven, \$6; ginger ale, six bottles, \$3; rental of car, investigation outside city cheaper than taxi, \$3.35. Total, \$49.85.

January 29, Washington, D. C.: Lunch for two, \$3; taxi, \$3.50; tips, \$2; late dinner for six, \$10.25; whisky for party, \$15. Total, \$33.75.

January 30, Washington, D. C.: Lunch for three, Valentino Café, \$4.75; tips, \$3; taxi, \$2.50; dinner for two, \$4; whisky, \$13; late dinner at Childs for four, \$8. Total, \$35.25.

January 31, Washington, D. C.: Breakfast, 85 cents; lunch for two, \$4; tips, \$3.25; taxi, \$3.75; dinner for three, \$4.75; wine, 50 cents; ginger ale, 25 cents. Paid Informant Mosher for information, three violations, \$12; receipt not requested, as I had not revealed my identity to him at this time. Total, \$29.35.

February 1, Washington, D. C.: Lunch for three, \$4.75; ginger ale and cover charge at Wardman's, \$6.50; dinner at Aster for four, \$5; tips, \$5.50; taxi, \$10; dinner at Macina's for purpose of obtaining evidence, for three, \$4.75; wine, \$1.50; sandwiches and drinks for two at Burns Café for purpose of obtaining evidence, \$1.50; whisky, \$10.25. Total, \$49.75.

February 2, Washington, D. C.: Breakfast, \$1; lunch for two, \$3; dinner at Madrilion, four, \$16; taxi, \$8.25; tips, \$3.75; early meal at O'Donald's, four, \$6; ginger ale and ice at Gay Paree for purpose of obtaining evidence, four, \$1.50; same as above at Oriental, four, \$1.50; whisky, \$24; total, \$65.

Now, this is in addition to the \$522 paid Kitty Costello and the \$430 she received.

Mr. CLARKE of New York. Does the gentleman have a picture of Kitty with him? [Laughter.]

Mr. LaGUARDIA. I submit that the very nature of the expenditures reveals the extravagance and waste of the public funds with the ostensible purpose of obtaining evidence. There was no occasion for going to Childs, for everybody knows that there has been no violation of the liquor law in Childs. Why these dinner parties of 6, 10 and even 20 guzzling whisky?

I have more memorandum of expenditures here, but these are sufficient for an example of the way public funds are being expended.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. SCHAFER of Wisconsin. During the gentleman's investigation did he ascertain whether the expenditure of these funds resulted in the arrest and conviction of prohibition-law violators?

Mr. LaGUARDIA. I think there is one case pending and one conviction. The gentleman knows that one sale and one drink is sufficient. There is no need of those wild whoopee parties.

There is no need of spending money in highly respectable places where no violations of law are committed.

Mr. SCHAFER of Wisconsin. This is another example of the way the Federal funds are thrown down the sewer of prohibition; they spend thousands of dollars to obtain the conviction of one little bootlegger.

Mr. LaGUARDIA. I think it was thrown down the gullets of the agents. [Laughter.]

Mr. WOOD. Mr. Speaker, in answer to what has been stated by the gentleman from New York [Mr. LaGUARDIA], none of the items included within this resolution will be expended for the purposes the gentleman has named. There are three items in the resolution. One is for salaries, fees, and expenses of United States marshals and their deputies, and that amounts to \$425,000. Then there is an item of \$640,000 for mileage and per diems of jurors and witnesses, and an item for the support of United States prisoners in jails, \$1,600,000. The \$640,000 item is made necessary because of the fact that since the passage of the last general appropriation act for the support of the courts, marshals, jurors, and so forth, we have created 5 new circuit courts of the United States and 10 district courts, and in addition to this additional expenditure there has been a very large increase in all of the United States courts. The \$425,000 item is made necessary by the same reason. So far as the last item of \$1,600,000 is concerned, it is for maintenance caused by the increase in the number of United States prisoners in jails throughout the United States, and for the maintenance of the new detention prison in the city of New York, recently opened, made necessary because of the fact that the city of New York would no longer receive Federal prisoners, and because the jailers throughout the United States, where these Federal prisoners are lodged have, almost without exception, increased the per diem charge. This is a matter over which the Department of Justice has no control, and all of these services are vouched for by the various circuit and district courts throughout the United States, and the amount is based upon the estimated statement of the jailers in the various county jails throughout the United States.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. COCHRAN of Missouri. Did the committee make any investigation as to the cause of the disturbance at Leavenworth?

Mr. WOOD. No.

Mr. COCHRAN of Missouri. For the benefit of the House, will the gentleman permit me to make a statement for about two minutes?

Mr. WOOD. Yes.

Mr. COCHRAN of Missouri. Mr. Speaker, last summer when I was in St. Louis a man came into my office asking my assistance in connection with a compensation claim that he had before the Veterans' Bureau. I questioned him as to why he had not prosecuted his claim, and he told me that he had been confined at Leavenworth Prison. He stated that he was working in the commissary department and told me that the only cause of the riot at Leavenworth was that they were not feeding the prisoners properly. He stated that immediately after the riot when the Department of Justice had sent representatives out there to make an investigation, they practically doubled their orders for supplies for the prisoners.

In other words, where they were getting one carload of meat they were ordering two, and he went on to say that the prisoners then were being properly fed and that there was no discontent among them so far as food was concerned. He was a very intelligent man. He stated that if the Government would feed the prisoners there would be no danger of any riot in a penitentiary such as occurred out there a few months previous to his conversation with me. I hope that the \$1,600,000 will be sufficient to feed the prisoners and prevent riots in the future.

The officials at the penitentiary were not to blame. The trouble was the population far exceeded the capacity of the penitentiary, and the appropriations for food must have caused the department to limit the amount that could be spent. It is the duty of the Congress to see that proper space is provided and sufficient money appropriated for proper food. I made some investigation, and I am convinced that the food had a great deal to do with the trouble. The Missouri Penitentiary is overpopulated just as is Leavenworth, and only last week the prisoners rebelled because they were not getting proper food. It is true the overcrowding has considerable to do with the discontent, but it is also true that the food supply, quality, and quantity, causes trouble. We can at least appropriate sufficient money to feed the prisoners as they should be fed.

Mr. WOOD. Mr. Speaker, the investigation made not at this hearing but at a previous meeting, convinced me, and I think

other members of the committee, that the cause of the riot was the crowded condition at Leavenworth Prison. This is the first time I have ever heard any charge made that it was because the prisoners were not receiving proper food or a sufficient amount of food. The fact is that the prisoners at Leavenworth and at Atlanta are fed much better than many people on the outside.

Mr. LaGUARDIA. Mr. Speaker, that is correct. I asked for the rations and the allowance and the quality. I went into that some time ago, and as the gentleman from Indiana says, food had nothing to do with the riot. It was the terribly overcrowded condition and the very early hours at which they had to serve the meals.

Mr. WOOD. Mr. Speaker, I move the previous question.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the joint resolution was passed was laid on the table.

#### ADDITIONAL APPROPRIATION FOR WEST VIRGINIA VETERANS' HOSPITAL

Mr. SHOTT of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a joint resolution of the West Virginia Legislature, now in session, regarding the hospitalization of war veterans in the State of West Virginia.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to extend his remarks in the RECORD by printing a resolution of the Legislature of the State of West Virginia. Is there objection?

There was no objection.

Mr. SHOTT of West Virginia. Mr. Speaker, the West Virginia Legislature, now in extraordinary session, has considered and adopted in both houses, unanimously, a concurrent resolution urging Congress to provide better facilities in West Virginia for the hospitalization of veterans of the various wars. The appropriation of \$700,000 for the purpose of erecting a hospital in West Virginia is inadequate and bills providing for a supplementary appropriation have been introduced in the Senate by Hon. GUY D. GOFF and in the House by Hon. CARL G. BACHMANN. These measures propose an additional appropriation of \$800,000, and the necessity for this can be clearly and conclusively shown, for there are hundreds of veterans hopefully but hopelessly awaiting hospitalization in our State unless additional appropriation is provided to increase the facilities at present proposed. The legislature, realizing the distressing need, has adopted the following resolution, which was introduced in the house by Hon. J. Stanley Stephens, and adopted by both houses:

#### House Concurrent Resolution 5 (extraordinary session)

Memorializing the Congress of the United States to authorize an additional appropriation for the construction of the United States veterans' hospital in the State of West Virginia.

Whereas on March 5, 1930, there were 70 general, 23 neuropsychiatric, 5 tubercular, and 8 observation cases, or a total of 106 veterans in West Virginia deprived of proper medical care because of a shortage of hospital beds; and

Whereas there are approximately 275 veterans from West Virginia confined in 34 hospitals located in 23 States; and

Whereas the \$700,000 recently appropriated by the Congress of the United States for the construction of a veterans' hospital in West Virginia will provide facilities for only 125 hospital patients; and

Whereas the Federal Board of Hospitalization met in Washington, D. C., on March 12, 1930, to consider the general location of a veterans' hospital in West Virginia; and

Whereas the West Virginia legislative veterans' hospital committee recently prepared a bill authorizing an additional \$800,000 to supplement the \$700,000 already appropriated by Congress for the construction of a United States veterans' hospital in West Virginia; and

Whereas an additional appropriation of \$800,000 will make a total of \$1,500,000, or enough money to provide approximately 400 hospital beds, which are acutely needed to provide suitable facilities for the veterans in this State: Therefore be it

*Resolved by the Legislature of West Virginia, That the constituted governmental authorities be urged to expedite, with all reasonable dispatch, the construction of the United States veterans' hospital, authorized within the Territorial limits of the State of West Virginia; and be it further*

*Resolved, That the Congress of the United States be requested to appropriate an additional \$800,000, as specified in the bill which has been prepared by the West Virginia Legislative Veterans' Hospital Committee; and be it further*

*Resolved, That the United States Veterans' Bureau be requested to make some provision for the 106 veterans now awaiting hospitalization, and for such other veterans, as the need arises, pending the construction*

*of adequate hospital facilities within the State of West Virginia; and be it further*

*Resolved, That copies of this resolution be sent to the West Virginia delegation in Congress, the United States Veterans' Bureau, veterans' organizations, the press, and to such other persons and agencies as may be interested.*

The adoption by the West Virginia Legislature of the above concurrent resolution, together with the efforts of veterans' organizations and the Members of the National Senate and House from West Virginia, constitute one of the most outstanding examples of the expression of concentrated public sentiment for a worthy cause ever made in the history of the State. Satisfaction is a tragedy, but it is all right to be pleased, and West Virginia, while pleased that there has been an appropriation made that will provide a 125-bed hospital in that State, is not satisfied, for notwithstanding the facilities this hospital will provide, there will be hundreds of veterans who need treatment left in hopelessness.

#### BUSINESS IN THE JUVENILE COURT, DISTRICT OF COLUMBIA

Mr. HOLADAY. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOLADAY. Mr. Speaker, a few days ago in the discussion of the appropriation bill for the District of Columbia I am quoted in the newspapers as using the expression, "all of the courts of the District are from six months to two years behind in their work." I was discussing at that time the municipal, police, and supreme courts and did not have in mind the juvenile court.

In justice to Judge Sellers I wish to state that Judge Sellers is working reasonable hours, and the work of that court is current. I did not intend to include the juvenile court in my statement, and I may say, in addition, as I said in my remarks, while the judges of the municipal court are holding court very short hours, only a little over two hours a day, they are current with their work, and the statement that the dockets are from six months to two years behind should be applied only to the police court and the Supreme Court of the District of Columbia.

#### "OLD IRONSIDES"

The SPEAKER. Under the order of the House, the Chair recognizes the gentleman from Massachusetts [Mr. UNDERHILL] for 15 minutes.

Mr. UNDERHILL. Mr. Speaker and Members of the House, within the next two weeks thousands of the school children of the country will visit Washington in order to see and learn at first hand some of the greatest history of our Nation. The same thing will take place in the city of Boston, where arrangements have already been made to receive a great many thousands of school children of New England and vicinity, to visit the Boston Navy Yard and see the "Old Ironsides," or the *Constitution*.

March 4, 1925, Congress authorized the Navy Department to restore "Old Ironsides," but made no appropriation for this purpose. The act did authorize the Secretary of the Navy to accept and use any donations which were offered or could be secured for this purpose. Rear Admiral Philip Andrews, United States Navy, headed a committee to create interest and receive voluntary contributions. He and Secretary of the Navy Wilbur appealed to the Benevolent and Protective Order of Elks for their assistance in presenting this project to the people of the Nation and to receive donations from the school children of the land. In Alaska, the Hawaiian Islands, Porto Rico, and in almost a thousand large jurisdictions, the Elks carried the story to over 5,000,000 children, and they in turn contributed about \$175,000 in "penny contributions."

The sale of colored reproductions of the picture of the *Constitution* brought a hundred and sixty odd thousand dollars; and the sale of souvenirs made from metal and timber removed from the old ship netted about an equal amount. The remainder of the total of about \$645,000 collected was contributed by individuals and patriotic organizations.

In connection with the work of reconstruction opportunity has been given for patriotic and educational exercises in practically every school in America, and this educational feature has stimulated the interest of the younger generation in the history of the American Navy.

Admiral Philip Andrews, commandant of the Boston Navy Yard, is entitled to special commendation for his efforts, as is Capt. D. W. Knox, United States Navy, retired, officer in charge of this work at the Boston Navy Yard. It is largely through the efforts of the above mentioned that this historic old frigate, *Constitution*, has been preserved for future generations.

Congress has recently voted an appropriation to supplement voluntary contributions to complete the restoration of the frigate *Constitution*.

This is the proper time when a brief permanent record should be made of the history of this vessel, together with a report of some of the difficulties encountered in her restoration. It is a matter of particular interest to the school children of America, the Daughters of 1812, the Benevolent and Protective Order of Elks, and other patriotic organizations and individuals who are deserving of praise and congratulations upon the completion of this project of restoration and preservation of this historic vessel.

The *Constitution* is one of the four ships built for the Navy of the United States in accordance with the act of Congress of 1794. She was modeled by Joshua Humphreys and constructed under the supervision of Capt. Samuel Nicholson and Naval Constructor George Clagborne. She was launched from near Harts Wharf, Boston, Mass.—now known as Constitution Wharf—October 21, 1797, but did not get to sea until July 20, 1798.

She was rated a 44-gun frigate, with a crew of 400 men. Length, 175 feet; beam, 43.6 feet; hold, 14.3 feet; ballast, about 140 tons; and carrying 48,000 gallons of water and six months' provisions. Cost, \$302,718.84.

Captain Nicholson continued in command until November, 1800. She next became the flagship of Commodore Silas Talbot in the West Indies and made several prizes on this cruise, Lieutenant Hull being conspicuous in their capture. From 1803 to 1805 cruised in the Mediterranean, flagship of Commodores Preble, Barron, and Rodgers, and bore a prominent part in the war of Tripoli, the final treaty with the Barbary powers being arranged on her after Captain Decatur took command.

Her greatest fame belongs to the War of 1812. July 5, 1812, commanded by Capt. Isaac Hull, she sailed from Annapolis, Md. On the 17th off Egg Harbor, N. J., the squadron of Captain Brooke, Royal Navy, was sighted closing up on the *Constitution*. Hull could not engage five large ships at once, so he had recourse to strategy and skillful seamanship to escape from the enemy. The wind entirely left the *Constitution* soon after sunrise of the 18th, Captain Hull says in his report, so the boats of the ship were hoisted out and manned and sent ahead to tow. The enemy did the same thing. Captain Hull had two guns run out of the cabin windows and other guns placed at the most advantageous positions to bear upon the close-following frigates. Finding they were gaining, Lieutenant Morris suggested warping or kedging the ship ahead by carrying out anchors ahead and warping up to them. By this means the *Constitution*, working for three days and nights, succeeded in escaping safely into port.

On the 2d of August Captain Hull again put to sea and sailed as far as the mouth of the St. Lawrence, where he took two prizes and recaptured an American brig. He then stood to the southward, and on the 19th of August, in latitude 41° 30' N., longitude 55° 30' W., met and engaged the frigate *Guerriere*, 50 guns, commanded by Captain Dacres, Royal Navy. For nearly an hour the ships maneuvered, and then followed a tremendous struggle, in which the enemy lost 20 killed and 30 wounded, and the *Guerriere* was completely dismantled and so badly damaged that after her surrender she was set fire to and sunk. As this was the first "frigate action," it produced great rejoicing in the United States and gloom and astonishment in England. The sailors of the *Constitution*, rejoicing in her ability to withstand British shots, named her "Old Ironsides," a name by which she has been known ever since.

The capture of the *Java*, while under command of Capt. William Bainbridge, and the *Pictou*, *Cyane*, and *Levant*, while under Capt. C. Stewart, not to mention a number of smaller prizes, added to her fame, together with another extraordinary escape from a British squadron into Marblehead in 1814.

The Navy had a period of inactivity after this war, and the *Constitution* did not perform any active duty until she sailed from Boston under Capt. Jacob Jones, May 13, 1821, for the Mediterranean Squadron, of which she was flagship under various commanders until 1838. From 1839 until 1851 she was constantly employed on the Pacific, Home, and Mediterranean Squadrons. March 2, 1853, she sailed for the Mediterranean and coast of Africa, completing this cruise in 1855.

From 1860 to 1871 she was at the Naval Academy, used as a schoolship for midshipmen, and from 1876 to 1878 was a training ship for seamen. During this last year she carried to France the exhibit sent by the United States to the exposition, and upon her return again became a training ship until 1881. Taken to Portsmouth, N. H., in 1882, she was housed over and made a receiving ship until 1894 and then laid up until 1897, when, September 21, she was towed to Boston, under command

of Capt. S. W. Very, to take part in the celebration of her centennial, October 21 of that year.

During the years 1906 and 1907 repairs were made to the hull above the water line. The ship was not dry-docked for fear of collapsing. Short sections of frames were installed amidships, and that portion of the ship was planked up with loblolly yellow pine. Only a small amount of work was performed at the two ends of the ship. New masts were made at the navy yard, Kittery, Me., and installed at the navy yard, Boston, including standing rigging and a small portion of running rigging. The spar deck, which was then in a decayed condition, was made semi-water-tight by the installation of yellow-pine furring. Dummy guns were manufactured at the navy yard, Boston, and installed.

The hull structure prior to dry-docking at the navy yard, Boston, on June 16, 1927, was in a very deplorable state of decay, the ship having a 14½-inch hog (upward sweep in the keel), the stem being 8¼ inches to port, while the ship was 11½ inches wider on the port side than on the starboard side. The keelson timber was badly decayed throughout its entire length, and 17 feet abaft of the forefoot the keelson timber was broken in two. The ends of practically all of the deck beams of the spar, gun, berth, and orlop decks were badly decayed. Numerous hanging, diagonal, and thrust knees, especially aft, were very badly decayed, due to wet or dry rot. Temporary repairs to the decayed ceiling in the hold and at the two ends of the ship had been made by pouring cement and by patching.

It was the general opinion that the ship, being in such a state of decay, it would not be safe to undertake to dock her. A special docking plan was prepared at the Boston Navy Yard, showing a method of internal shoring. The ship having an excess weight over buoyancy at the two ends, approximately 150 tons of ballast was placed in the fore hold. A pyramid of timbers was built on the spar deck 12 feet high, over which heavy steel cables were passed, leading through the starboard and port hawse pipes, over the top of the pyramid, and extending aft to heavy cross timber located below the line of the gun deck. These cables were hove taut by the use of unusually large turnbuckles, as the vessel settled over the blocks, in order to support the ends of the ship. Additional cables were passed entirely around the ship at the line of the gun-deck gun ports, being also hove up by the use of turnbuckles. Numerous transverse steel cables crossed the gun deck to the main cable that passed around the ship, the object being to prevent spreading of the ship as it landed on the blocks.

An especially designed cribwork, 80 feet long and 9 feet high, was built into the bottom of the dock and counterweighted by metal ballast. Upon this cribwork there was installed 13 transverse launch ways. Upon this was built a continuous cradle 78 feet long on each side of the ship, which was calculated to represent the final shape of the hull, 14 feet 6 inches off the center, at a location known as a buttock line. The sliding ways, which carried the cradles, were greased, and at the ends of the cradle a longitudinal adjustable block was fitted that would work in a fore-and-aft plane to cover any discrepancies which would occur due to any slight error of the cradle properly adjusting itself to the underside of the ship.

The ship was safely dry-docked on June 16, 1927. The sliding cradle functioned properly under water, clutching the sides of the ship like the jaws of a vise. The dock was then slowly pumped down and the hog removed, and as the dock was further pumped down the underbody hull structure was properly faired up as it adjusted itself in the cradles. The dry-docking was eminently successful, no damage resulting to the hull.

The navy yards being equipped for building and repairing steel ships only, there was no suitable equipment or machinery for the rebuilding of a wooden ship such as the *Constitution*. It was necessary to make a search to obtain the necessary wooden-ship building equipment and craftsmen. A Daniels planer with a 90-foot bed and 43-foot table, and an electrically driven treenail turning machine were purchased from the wooden-ship yard of Percy & Small at Bath, Me. An old-time futtock saw—virtually a large jig saw—was obtained from the navy yard, Portsmouth, where it had been installed in the old Franklin ship house for a great many years, since the days of wooden-ship building.

The building or rebuilding of a frigate of the period of 1797 being practically a lost art, it was necessary to comb the northern New England States for efficient wooden-ship builders. The greater part of them were obtained at Bath, Me. Other sections of Maine that were represented are Stockton Springs, Rockland, Waldoboro, Brunswick, South Freeport, Winthrop, Boothbay, and a few were obtained at Portsmouth and elsewhere. This force, augmented by specially qualified shipwrights em-

played at the navy yard, have rebuilt the hull of the ship, which was undocked on March 15, 1927.

Considerable difficulty was experienced in obtaining suitable shipbuilding timber. Live-oak material, used mainly in re-framing, was obtained from Commodore's Pond, naval air station, Pensacola, Fla., white-oak planking from southern Ohio and from the mountain valleys of West Virginia. On account of the large dimensions required it was difficult to persuade dealers to take contracts for this material. More than 400 white-oak knees were obtained in southern Delaware. Douglas fir for the deck beams and for the masts and spars was obtained from the States of Washington and Oregon, and yellow-pine spar deck planking from the State of Georgia. Other sections of the country have provided iron, paints, copper, canvas, American hemp, oakum, and so forth.

The hull of the ship is practically restored to its original condition and strength, and when all the work is completed it will be possible for the *Constitution* to again sail the seas.

This is in wide contrast to Lord Nelson's flagship in the Battle of Trafalgar, the *Victory*, which has been placed on concrete supports at Portsmouth, England, and never can take the water again.

I ask unanimous consent at this point, Mr. Speaker, to extend my remarks in the RECORD to include a short history of the deeds of *Old Ironsides* by Lieut. Commander E. R. S. Brandt, United States Navy.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. UNDERHILL. This is the history:

#### DEEDS AND ADVENTURES OF "OLD IRONSIDES"

By Lieut. Commander E. R. S. Brandt, United States Navy

In these twentieth century days the Stars and Stripes whip in the breeze over many a mighty American warship, yet on none does it wave more proudly than over the Yankee frigate U. S. S. *Constitution* now at its dock in Boston, where "Old Glory" was first raised to her gaff 128 years ago.

The *Constitution* is one of the first three ships of our present Navy. Let us hope that she will remain to fly the Stars and Stripes until she is the last ship of the Navy, if that time comes when navies are no more and mankind is competent to preserve peace by spiritual enforcement alone. Even that day of peace and universal justice should find it appropriate to preserve such a memorial.

#### THE DEED OF THE CENTURY

The intolerable situation leading to the war with Tripoli was the direct reason for the authorization of the *Constitution* and her sister ships. In 1793 American trade in the Atlantic had grown to a point that promised to extinguish all other trade. Rich cargoes traveled back and forth under the American flag comparable in value to the Spanish treasure ships of the sixteenth century. The Barbary corsairs, who for over two centuries had been confined to the Mediterranean by the Spanish and Portuguese at Gibraltar, were in need of prey. The corsairs turned loose on the defenseless American merchant marine. All the great nations of Europe were paying these corsairs tribute. Then in 1794 their arrogance and the boldness of their depredations caused us to build the frigate *Constitution* and five sister ships. In 1804 the *Constitution*, commanded by Commodore Edward Preble, after five bombardments of the forts at Tripoli, exacted peace and stopped the tribute that we had been paying to the corsair states.

Perhaps there is no more thrilling or dramatic incident in the history of our American Navy than the *Philadelphia* affair in Tripoli. The *Philadelphia*, a sister ship which had run aground in the uncharted seas, was captured by the pirates and her crew made prisoners. Under the guns of the Tripolitan forts Stephen Decatur with a picked crew, some of whom were from the *Constitution*, sailed alongside the *Philadelphia* in a ketch, made fast, and in hand-to-hand conflict they killed or drove overboard into the sea all of the pirates, burned the ship, and then sailed out of port without the loss of a man. Lord Nelson, the British naval hero, characterized it as "the deed of the century."

#### BUILT TO FIGHT OR RUN

The building of the *Constitution* and her sister ships marked the greatest single advance in naval construction for a century, and they held an undisputed preeminence in the frigate class until 1840. They were designed to be superior to any frigate afloat and equal to double-deck ships in heavy weather when the lower deck ports of the latter had to be closed. They were built to fight or run, depending on the enemy encountered, to which forethought the *Constitution* owes her long career, for she escaped from British squadrons on three separate occasions. Yankee ingenuity and sea sense built ships which, in the War of 1812, were to literally save the Union of American States and to establish our sovereign rights at sea by a series of unexpected victories over the frigates of England, whose ships had defeated the frigates of every other maritime nation.

The Revolutionary War won for us our independence on the American continent, but we had yet to win our independence on the sea. Insult to our flag and aggression on our sea-borne commerce, the greatest factor in our growing wealth, had been our fate ever since Cornwallis surrendered. Over 12,000 free American seamen had been taken from under our flag by the press gangs.

Madison declared war against England in July, 1812, as a last exasperated protest against the indignities heaped upon our ambassadors, the impressment of over 12,000 seamen, and for our rights upon the sea. Our Navy consisted of five frigates and a few smaller ships, against which over 200 British warships out of England's 1,000 sail were available on our coast.

Being unprepared on sea or land, things went against us from the start. So great was the fear of England's Navy that the Cabinet at first considered keeping our handful of frigates in port. A group of naval captains, unafraid and ready to fight, persuaded the Secretary of the Navy to let them get to sea.

#### DEFEAT OF "GUERRIERE"

Fearing that the Secretary of the Navy could not be persuaded in allowing him to proceed to sea, Captain Hull sailed without orders, for he realized the gravity of the situation on land. On August 2 he set sail with the *Constitution* and stood to the eastward.

On August 19 she sighted the *Guerriere* and bore down toward her at once. There was long-range firing, during which little damage was done, and then the *Constitution* closed and exchanged broadsides within pistol shot. The sea was very rough, but the American aim was deadly. The *Guerriere's* mizzenmast went by the board, and Hull luffed under his enemy's bow and raked her, then wore and raked her again. So near were the two ships now that they fouled, and a line was secured between them by the executive officer of the *Constitution*. Boarders were called away on the *Guerriere*, but recoiled before the mass of seamen on the American ship.

The rough sea forced the ships apart, and as they separated the foremast and the mainmast of the *Guerriere* went by the board, so that she rolled a helpless hulk upon the waves. Hull drew off, repaired the damages, and bore down again, when the *Guerriere* struck her flag. The *Constitution* lost 14 killed and wounded; the *Guerriere* lost 79. She was set on fire and blown up. America had proven that, ship for ship, there was nothing to fear.

#### "HER SIDES ARE MADE OF IRON"

During the excitement of the battle one of the largest shot the enemy could command struck the side of the *Constitution*, but the plank was so hard the shot fell out and sank in the waters. This was noticed by the men; and the cry:

"Huzza, her sides are made of iron! See the shot fall out!"

From that moment the name of the *Constitution* was garnished with the colorful title of "Old Ironsides."

Captain Dacres, of the *Guerriere*, some months previous to the opening of the war in a conversation with Captain Hull had bet him a hat that any British frigate could beat any American frigate afloat. After he boarded the *Constitution*, he offered his sword to Captain Hull, who, as he refused it, said, "Captain, you owe me a hat." The gallant Dacres had forgotten the incident, but when reminded he agreed to pay the wager.

In order to comprehend the exultation over the victory it is necessary only to consider the state of the country, and especially the utter discouragement of the port from which the *Constitution* had sailed. The summer of 1812 had presented a gloomy outlook. There was lack of sympathy with the war, in New England even talk of secession and a dismal prediction of disaster served only to intensify the feeling. It was the gloomiest period in the history of the young Republic. Affairs had not gone well on land and the campaign against Upper Canada had proven a failure. General Hull's surrender on land had occurred only a few days before Capt. Isaac Hull's triumph on the sea.

The morale of the country was at its lowest ebb when the *Constitution* sailed into Boston Harbor with flags flying and the story of her wonderful victory over the *Guerriere* was told; Captain Hull and his officers were received with open arms, and from one end to the other of the 13 States swept the news of this victory and awakened renewed vigor of the whole country in their war with the British.

#### SPELL WAS BROKEN

The spell of English superiority at sea was broken. We were not absolutely impotent after all, even against the greatest sea power of the world, and ship for ship we had nothing to fear. Nothing was expected of the Navy. Here was something over which all sections could rejoice, from which all people could unite, and it belonged to the country as a whole. The victory came at a psychological moment, and overnight it electrified the people and gave them the stimulus that was needed. Without this victory the future of the Republic would have been hard to foretell.

Within three months while Commodore William Bainbridge in command of the *Constitution* was cruising off the South American coast, where he went to destroy British shipping, he sighted the English frigate *Java*. In a few hours the deadly accurate fire from "Old Iron-

sides" had reduced the *Java* to a mass of wreckage, and, after her crew was taken aboard, she was sunk. Captain Lambert, commander of the *Java*, was mortally wounded and later died at Bahia, Brazil.

The *Constitution's* last exploit of that war was a cruise in 1815 under Capt. Charles Stewart, which concluded with the capture, single handed, of the frigate *Cyane* and sloop of war *Levant* off the island of Madeira. The success of the war can not be attributed to one frigate, yet the *Constitution* inflicted by far the major part of the damage to British armed ships. She, more than any other American vessel, was instrumental in exploding the boast made by a British poet of the period:

"The winds and seas are Britain's wide domain  
And not a sail without permission spreads."

Her greatest achievement, however, lay not in her conquests but in the moral effect which her victories had upon the country, serving as they did to unite opposing factions and territories in a feeling of national pride and unity of purpose.

#### SAVED BY POEM "OLD IRONSIDES"

After the war she served for a period of five years as flagship of the Mediterranean Squadron. In 1830 she was condemned by the naval commissioners as unseaworthy and ordered to be broken up. Oliver Wendell Holmes's poem *Old Ironsides* so aroused public sentiment that the Navy Department ordered the ship to be rebuilt at Boston.

#### OLD IRONSIDES

Ay, tear her tattered ensign down!

Long has it waved on high,  
And many an eye has danced to see  
That banner in the sky;  
Beneath it rung the battle shout,  
And burst the cannon's roar;  
The meteor of the ocean air  
Shall sweep the clouds no more.

Her deck once red with heroes' blood,  
Where knelt the vanquished foe,  
When winds were hurrying o'er the flood,  
And waves were white below,  
No more shall feel the victor's tread,  
Or know the conquered knee;  
The harpies of the shore shall pluck  
The eagle of the sea!

Oh, better that her shattered hulk  
Should sink beneath the wave;  
Her thunders shook the mighty deep,  
And there should be her grave;  
Nail to the mast her holy flag,  
Set every threadbare sail,  
And give her to the god of storms,  
The lightning and the gale!

From 1860 to 1871 the *Constitution* was used as the school ship of the United States Naval Academy. In 1878 she made her last cruise carrying the United States' exhibit to the Paris exposition. For many years she was used as a receiving ship at Portsmouth, N. H.

In 1897 she was towed to Boston for her own centennial and has remained there since that date. On one occasion it was proposed to use her as a target for the ships of the Atlantic Fleet. This elicited a storm of protest, and Congress appropriated \$100,000 for partial repair. She lies to-day alongside the dock in Boston Navy Yard in use as a naval museum.

#### WHAT THE "CONSTITUTION" SYMBOLIZES

The *Constitution* stands for a great deal in the hearts of the American people. After 120 years' existence she is a most beautiful and picturesque survivor of the bygone days of sail. Built mainly through Washington's efforts, she has served under every President since. Just think, from Washington to Hoover! She had an invaluable moral effect in inspiring the Nation with a sense of union and in giving us standing in the eyes of the world. In 1802 we went to war with Tripoli because of the piratical attacks made upon our commerce; in 1812 we went to war for "free trade and sailors' rights"; and in 1917 we declared war on Germany because of her destruction of neutral shipping. In each case the principle involved was freedom of the seas, and in two of these wars the *Constitution* played a leading part. She is thus representative of a principle for which America has three times drawn the sword, emblematic of an ideal which is world-wide in its scope. "Old Ironsides" stands as a living and appropriate symbol of American freedom of the sea.

#### DATA ON THE "CONSTITUTION"

1794: Keel laid at Hartt's Shipyard, Boston. Designed by Joshua Humphries, of Philadelphia, on new lines based on those of the fast French frigates. Carried very large amount of sail and a very heavy battery of 24-pounders on gun deck, which were unusually high above the water line, so that the guns could be fought in heavy weather.

Eighteen-pounders were the usual gun on frigates of the period. Was 175 feet on water line and truck of mainmast was over 200 feet from water line. Very heavy timbers were used, many of which have survived to the present day. Hull lines were very fine under water and much like the present racing yachts. Her heavy sides and maneuvering ability under sail brought her out of four engagements scarcely damaged, though the two frigates she fought were both dismasted and sunk. Copper bolts and sheathing were made by Paul Revere. First flag of 15 stars and 15 stripes made by Betsy Ross. Built of live oak, yellow pine, and cedar from trees selected while still standing in the forest. A perfect example of shipbuilding, in which no expense was spared to obtain the best possible.

1797, October 21: Launched on third attempt.

1798: In commission. Took part in suppressing French privateers in West Indies.

1804: Bombarded forts at Tripoli, maneuvering under sail in small and crowded harbor. Forced peace without further tribute on four corsair states and liberated 115 American prisoners in slavery.

1812-1815: Captured *Guerriere*, *Java*, *Pictou*, *Cyane*, and *Levant*, and 15 other ships, breaking the tradition of British supremacy at sea and turning the tide of defeat into final victory, resulting in American independence on sea.

1821-1858: Mediterranean station, African coast, suppressing slave trade, around the world cruise, and Pacific station.

1861-1870: Naval Academy training ship.

1879: Paris exposition.

1882: Receiving ship at Portsmouth Navy Yard.

1897: Towed to Boston on centennial of launching.

1925-1930: Restored at Boston Navy Yard.

#### MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On March 21, 1930:

H. J. Res. 205, Joint resolution to provide for the expenses of participation by the United States in the International Fur Trade Exhibition and Congress to be held in Germany in 1930; and

H. R. 8423. An act granting the consent of Congress to the State of Minnesota, or any political subdivision thereof, to construct, maintain, and operate a bridge across the Mississippi River at or near Topeka, Minn.

On March 26, 1930:

H. R. 9979. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes.

On March 28, 1930:

H. R. 8705. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Rock River at or near Prophetstown, Ill.;

H. R. 8706. An act to legalize a bridge across the Pecatonica River at Freeport, Ill.;

H. R. 8970. An act granting the consent of Congress to the State of Illinois to construct a bridge across the Little Calumet River on Ashland Avenue near One hundred and thirty-fourth Street, in Cook County, State of Illinois;

H. R. 8971. An act granting the consent of Congress to the State of Illinois to widen, maintain, and operate the existing bridge across the Little Calumet River on Halsted Street near One hundred and forty-fifth Street, in Cook County, State of Illinois;

H. R. 8972. An act granting the consent of Congress to the State of Illinois to construct a bridge across the Little Calumet River on Ashland Avenue near One hundred and fortieth Street, in Cook County, State of Illinois; and

H. R. 11045. An act to increase the appropriation for the acquisition of a site for the new House Office Building.

On March 31, 1930:

H. R. 3657. An act to quiet title and possession with respect to certain lands in Custer County, Nebr.; and

H. R. 6120. An act to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (44 Stats. 630); the act entitled "An act to amend section 5 of the act entitled 'An act to provide for the construction of certain public buildings, and for other purposes,' approved May 25, 1926," dated February 24, 1928 (45 Stats. 137); and the act entitled "An act authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as space for public buildings," approved January 13, 1928 (45 Stats. 51).

PROMOTION OF PEACE, EQUALIZATION OF THE BURDENS AND  
MINIMIZATION OF THE PROFITS OF WAR

Mr. SNELL. Mr. Speaker, by direction of the Committee on Rules, I call up House Joint Resolution No. 251.

Mr. STAFFORD. Mr. Speaker, the gentleman from New York [Mr. SNELL] calls up House Joint Resolution 251 as a privileged resolution. I make the point of order, for the purpose of having a ruling by the Chair, that it is not privileged; and if the Chair will bear with me for a few minutes, I would like to be heard.

The SPEAKER. The Chair will hear the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Speaker, the resolution provides for the appointment of a commission to make an investigation. This resolution might with consistency have been referred to the Committee on Military Affairs under the rules of the House. The mere fact that the resolution providing for the appointment of a commission was referred to the Committee on Rules does not give it a privileged status. I would like to direct the attention of the Chair to the character of bills and rules that are given a privileged status when reported from the Committee on Rules. Subparagraph 45 of Rule XI is the rule that pertains, I believe. That rule reads:

The following-named committees shall have leave to report at any time on the matters herein stated, namely: The Committee on Rules on rules, joint rules, and order of business.

Those are the three distinct matters of legislation that the Committee on Rules is privileged to report. I respectfully submit to the attention of the Chair that, if this resolution had provided for the appointment of a commission composed entirely of Army officers to make this investigation and to mobilize the industrial activities of the country and had been referred to the Committee on Military Affairs, it would not have been a privileged matter.

A bill providing for the appointment of a commission, no matter how constituted, can not be considered as being a rule, a joint rule, nor can it be considered as an order of business. Therefore, where is the authority in the Committee on Rules to bring this up as a privileged matter?

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. STAFFORD. I yield, with the consent of the Speaker.

Mr. JOHNSON of South Dakota. Is it not evident that the reason for bringing this matter from the Rules Committee is to save the Committee on Military Affairs from embarrassing questions that may be asked of its members as to why, after having had this legislation before that committee since 1922, that committee has not been able to draft legislation, but has to bring in some outsiders to do it?

Mr. STAFFORD. I am not questioning the propriety of sending this to the Committee on Rules. The gentleman from South Dakota does not grasp the purport of my argument.

Mr. JOHNSON of South Dakota. The gentleman grasps it entirely but wanted simply to make those remarks.

Mr. STAFFORD. If this had been referred to the Committee on Military Affairs it would not have received a privileged status any more than if it had been referred to the Committee on Rules. I am not questioning the propriety of sending it to the Committee on Rules, but, having been sent there, it is not given any privileged character, because the privileged character of the legislation and orders from the Committee on Rules is limited to three, as I said previously—rules, joint rules, and order of business.

I do not gainsay that the Committee on Rules may introduce a rule making this in order, but they have not done that, and the distinguished chairman of the Committee on Rules does not pretend that there is a rule providing for its consideration. The gentleman calls up this bill as privileged. It was reported as privileged, but I contend very strenuously that it is nonprivileged in character. It rests with the Committee on Rules to bring in a rule that would make it in order, but the bill in itself is not a privileged resolution.

Mr. GARRETT. Will the gentleman yield?

Mr. STAFFORD. I yield, with the consent of the Speaker.

Mr. GARRETT. Referring to the embarrassing situation, referred to by the gentleman from South Dakota [Mr. JOHNSON], of the Committee on Military Affairs, can the gentleman imagine that it would be any more embarrassing than the embarrassment the gentleman has experienced on legislation coming out of his committee in the last two sessions?

Mr. STAFFORD. I have not been here, but I imagine the gentleman from South Dakota [Mr. JOHNSON], like all of us, has been embarrassed on legislative matters on occasions, but this is a matter that pertains to the legislative integrity of the House, when a matter has been referred to the Committee on Rules, whether, ipse dixit, that of itself gives it a privileged

character, when they are restrained under the rules of the House to three characters of legislation, namely, rules, joint rules, and order of business.

Mr. SNELL. Mr. Speaker, this is a question that has been brought up in the House a great many times, and, as far as I am able to remember, every time a resolution of this kind has been considered, it was a special rule. We propose setting up a special committee to do a special piece of work, and that comes under the general provision of the rules, because it is a change of the rules for a specific purpose. And when a proposition of this kind has been before the House it has always been considered a privileged proposition and brought up in this manner. As far as I know, there has never been any decision against that, and I believe it is entirely in accordance with the rules, because we are changing the rules for a specific purpose, namely, to set up a special committee to do a special piece of work. As far as I know, all the decisions have been to the effect that such matters are privileged to come from the Committee on Rules.

Mr. STAFFORD. Will the gentleman yield?

Mr. SNELL. Certainly.

Mr. STAFFORD. The gentleman does not mean to contend in seriousness that this commission is a committee of the House?

Mr. SNELL. It has been considered practically the same thing. We are setting up a special committee.

Mr. STAFFORD. Other committees bring in bills for the appointment of commissions, but the mere fact that this resolution was referred to the Committee on Rules does not change the character of the legislation. The resolution does not provide for a committee of the House but for a commission. The Committee on Ways and Means, the Committee on Appropriations, the Committee on Agriculture may bring in bills providing for the appointment of commissions, but that does not make the bills privileged. There is nothing in the rules of the House which makes a bill privileged simply because it has been referred to the Committee on Rules. That does not give a bill any special standing or significance.

Mr. SNELL. I do not claim that to be the fact.

Mr. STAFFORD. I thought that was the burden of the gentleman's argument.

Mr. SNELL. No; it is not.

Mr. STAFFORD. I would like to have the gentleman point me to some precedent or ruling to that effect.

Mr. LAGUARDIA. If the gentleman will permit, was the joint resolution in regard to the public lands of the country considered a privileged resolution or did that come in under a rule? I think the commission provided for in that resolution is analogous to the commission created in this resolution.

Mr. SNELL. At this time I do not remember because there have been so many.

Mr. LAGUARDIA. That was a rather recent matter and I think it came in under a rule; I am quite sure it did.

Mr. STAFFORD. If the gentleman will permit further, can the gentleman, who has such a wide acquaintance with the precedents and rules of the House, cite one instance where this question has been called to the attention of the Speaker for a ruling? This resolution might have gone through to-day by acquiescence if a point of order had not been raised. The mere fact that on prior occasions the gentleman may have presented a similar bill would not make it of such a standing that it would be considered a precedent.

Mr. SNELL. That is the understanding I have had, and they have all gone through in that way. Let the Chair rule.

The SPEAKER. The Chair is prepared to rule. The Chair has not the slightest doubt that this joint resolution is brought before the House in the proper way. It has been the common practice of the present occupant of the Chair, and I think of many of his predecessors, to invariably refer bills and joint resolutions which create a joint commission, partly consisting of Members of the House, to the Committee on Rules. There is no other committee to which they could possibly go. Where a bill or resolution is reported by the committee having jurisdiction, the Committee on Rules, and the bill or resolution involves the creation of a joint committee, which is in itself a quasi legislative committee, the Chair believes it comes before the House properly and is privileged. It is a change in the rules in so far as it permits and provides that Members of the House shall serve on the commission which it creates. Therefore the Chair overrules the point of order.

Mr. SNELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 251, to promote peace and to equalize the burdens and to minimize the profits of war. Pending that motion, I would like to make an agreement with the gentleman from North Carolina as to the time to be used in general debate.

Mr. BANKHEAD. Mr. Speaker, in the absence of the gentleman from North Carolina, who has asked me to temporarily take charge of this phase of the matter, the gentleman from North Carolina stated to me that he has requests on this side for 80 minutes.

Mr. LAGUARDIA. Does that take care of Members on this side who are opposed to the resolution?

Mr. POUL. No.

Mr. LAGUARDIA. You had better put me down for 10 or 15 minutes.

Mr. SNELL. I am going to take care of both sides. I am going to yield time equally to both sides as far as that is concerned. Mr. Speaker, I ask unanimous consent that general debate be limited to three hours, one-half to be controlled by the gentleman from North Carolina [Mr. POU] and one-half by myself.

The SPEAKER. The gentleman from New York moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 251. Pending that motion the gentleman asks unanimous consent that the time for general debate be limited to three hours, one half to be controlled by himself and the other half by the gentleman from North Carolina [Mr. POU]. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from New York.

The question was taken; and on a division (demanded by Mr. HUDDLESTON) there were—ayes 190, noes 4.

Mr. HUDDLESTON. Mr. Speaker, I object to the vote on the ground of no quorum.

The SPEAKER. The Chair will count. [After counting.] Two hundred and fifty-five Members are present, a quorum.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 251, to promote peace and to equalize the burdens and to minimize the profits of war, with Mr. SIMMONS in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 251, which the Clerk will report by title.

The Clerk read the title of the resolution.

Mr. SNELL. Mr. Chairman, I ask unanimous consent that the first reading of the resolution be dispensed with.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the first reading of the resolution be dispensed with. Is there objection?

There was no objection.

Mr. SNELL. Mr. Chairman, I simply desire to make a short statement relative to this resolution. I want to get before the committee the only purpose there is in the resolution, and in order that the Members may understand it, I will read the first seven lines of the resolution, which state the real purpose:

That a commission is hereby created to study and consider the feasibility of equalizing the burdens and to minimize the profits of war, together with a study of policies to be pursued in event of war, so as to empower the President immediately to mobilize all the resources of the country.

This general proposition has been before the House of Representatives for the last 10 years. As you all know, immediately after the late war, there were a great many people in this country, and from various parts of the country, who thought the burdens of the war had been unevenly distributed among our people. As an outcome of this feeling they suggested that Congress make some study of the whole proposition to see if it were feasible in any way to more equally distribute these burdens and to a certain extent take profits out of war.

As far as I am personally concerned, I do not know whether this resolution will accomplish anything or not, but the Rules Committee could not see any reason why a study and investigation of a problem that meant so much to the people of the whole country should not be made, and this is the reason they are reporting the resolution to the House at the present time.

Certain organizations, like the American Legion, are very vitally interested in the matter. They feel it is the most definite move this country can possibly make for the continued peace of the world. There are other organizations, like union labor, that are opposed to it, and the only thing we are presenting here at this time is to set up a committee or a commission to study the feasibility of the whole proposition.

Whether it can be done or not, I am not able to say at the present time, but I do say that I can see no reason why a comprehensive study of the whole question should not be made, and that is all that is intended by the resolution.

Mr. BURTNESS. Will the gentleman yield for a question?

Mr. SNELL. Yes.

Mr. BURTNESS. Primarily this commission is intended to report back such recommendations as it may reach with reference to legislation or with reference to the subject in general, I take it?

Mr. SNELL. Yes.

Mr. BURTNESS. When the commission is primarily established for that purpose, I am wondering if it would not be well for a majority of the members of the commission to be Members of Congress rather than a minority. Of course, this is a minor detail.

Mr. SNELL. There are arguments both ways on that. I doubt if it makes any difference at the present time. This commission reports to the President and in turn the President sends the report to Congress, so we get the subject matter before us, and if there are any recommendations we can act on them or not at our pleasure.

Mr. BURTNESS. I do not know that my point is important, but I do feel that when commissions are appointed, which are primarily intended to deal with legislative matters, it might be considered good practice to obtain a majority of the members of such commissions from the membership of the House and the Senate.

Mr. MOORE of Virginia. Will the gentleman from New York yield?

Mr. SNELL. I yield to the gentleman from Virginia.

Mr. MOORE of Virginia. If the measure is to be adopted and members of the Cabinet are to be included in the membership of the commission, does not the gentleman think that in view of the fact there will undoubtedly be very difficult legal questions to consider, the Attorney General should be named as one of the members of the commission?

Mr. SNELL. Well, I had not thought of that and I do not know that I have any special wishes one way or the other.

Mr. KINCHELOE. Will the gentleman yield?

Mr. SNELL. I yield.

Mr. KINCHELOE. I have not looked the matter up, but I take it the gentleman knows whether the conscription measure which we passed during the war was a war measure or is still a statute.

Mr. SNELL. As far as I know, it has never been repealed.

Mr. KINCHELOE. The gentleman, then, has not looked up that question so as to be sure?

Mr. GREEN. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. GREEN. A majority of the members of this commission will be members of the Congress, will they not?

Mr. SNELL. No; there are five members of the Cabinet, five members from the outside, so that the membership will be 10 to 8.

Mr. GREEN. A majority of the members would consist of those who are now a part of the Government?

Mr. SNELL. There are to be five members of the Cabinet, five from the outside, not connected with the Government, four from the House and four from the Senate.

Mr. Chairman, I reserve the balance of my time and yield 20 minutes to the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Chairman, I rise to urge the passage of this joint resolution.

It is profoundly gratifying to me that the distinguished chairman of the Committee on Rules [Mr. SNELL] has been moved to introduce this resolution so similar to one that I have introduced in both this and the last Congress, and it must be gratifying to the gentleman from South Carolina [Mr. McSWAIN], who introduced and had pending a similar resolution in the Sixty-eighth and Sixty-ninth Congresses.

The purpose of this resolution is to find the way to put into effect in time of war the so-called "universal draft." It proposes to create a commission "to study and consider the feasibility of equalizing the burdens and minimizing the profits of war, together with a study of policies to be pursued in the event of war." The principle of the universal draft, so termed, has enlisted well-nigh universal popular approval. It means that on the outbreak of war all the resources of the Nation, human as well as material, shall be forthwith at the disposal of the Government. It embodies a principle of military, economic, and social justice that our experience in the last war has well established.

A measure such as here contemplated has been recommended to Congress by two Presidents, Harding and Coolidge; has been the subject of platform declarations of both the Republican and Democratic Parties at their national conventions; is advocated by most of the men still living who guided and developed our industrial effort in the Great War; has had universal approval in the press and from leaders of public opinion. Let us con-

sider some of the great lessons taught by our experience in that war, which lead us toward the universal draft in time of war.

First. That in order to wage a major war successfully, it is necessary to mobilize not only an army but the whole Nation as well. As Kipling put it, "It is not the individual or the army as a whole, but the everlasting teamwork of every bloomin' soul" that wins the war.

Second. That to keep down the cost of war and avoid unfairness and inequality in sharing its grievous burden, all profiteering must be prevented, and the price of everything, including labor, stabilized at the outset and drastically regulated and controlled throughout the war.

Third. That the prompter and more united the efforts, the more effectively can be struck the blows that will bring an early victory.

Fourth. That the temper and morale of the people, particularly of the fighting forces, so necessary to victorious effort, will be kept on a high plane, if the burdens of war can be equally apportioned without favoritism or special privilege.

Fifth. That the more universally and equally the war is brought home to, and its burden cast upon every citizen, the less lightly will the country be disposed to enter upon a war.

In our wars there has always been an inequality and injustice in the way the burdens were imposed—falling heavily on some, lightly on others—some suffering severely, others profiting inordinately. War profiteering on the part of some has dimmed the luster of our arms, the glory of victory in every war we have fought.

It was President Harding who first called attention to this inequality in the noble words of his inaugural address. He said:

If, despite this attitude, war is again forced upon us, I earnestly hope a way may be found which will unify our individual and collective strength and consecrate all America, materially and spiritually, body and soul, to the national defense. I can vision the ideal Republic where every man and woman is called under the flag for assignment to duty, for whatever service, military or civil, the individual is best fitted; where we may call to universal service every plant, agency, or facility, all in the sublime sacrifice for country; and not one penny of war profit shall inure to the benefit of private individual, corporation, or combination, but all above the normal shall flow into the defense chest of the Nation. There is something inherently wrong, something out of accord with the ideal of republican democracy, where one portion of our citizens turns its activity to personal gain amid defensive war while another is fighting, sacrificing, or dying for national preservation. \* \* \* That then we would have little or no disorganization of economic and industrial and commercial systems at home, no staggering war debts, no swollen fortunes to flout the sacrifices of our soldiers, no excuse for sedition, no pitiable slackness, no outrage of treason.

And in his message to Congress December 8, 1922, he declared:

The proposed survey of a plan to draft all the resources of the Republic, human and material, for national defense may well have your approval. I commended such a program in case of future war in my inaugural address of March 4, 1921, and every example in the adjustment and liquidation of war claims and the settlement of war obligations persuades me we ought to be prepared for such universal call to armed forces.

In other words, he was then, in effect, urging the very inquiry proposed by this resolution.

I repeat that it is a great gratification to me that the chairman of the Rules Committee has seen fit to introduce under his own name a resolution practically identical with mine.

Mr. SNELL. If the gentleman will yield, I desire to state before the House that I claim no authorship of this resolution. I redrafted it and presented it, but it belongs to the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. It does not belong to me any more than it does to the gentleman from South Carolina [Mr. McSWAIN] who had an identical resolution pending in the House for two years.

Mr. JOHNSON of South Dakota and Mr. HUDDLESTON rose.

Mr. WAINWRIGHT. I can not yield further, my time is so limited.

In October, 1922, the American Legion at its national convention adopted a plan for universal conscription, as it was called, which was the subject of a bill introduced in this House shortly afterwards by the distinguished gentleman from South Dakota [Mr. JOHNSON], which bill has been pending in Congress, with the backing of the American Legion, till in the last Congress, apparently recognizing the manifold difficulties, legal, constitutional, and otherwise, that inhered in the plan, the Legion transferred its support to the resolution introduced by me in the last and in this Congress, which serves as a basis for the

one we are now considering, and is pressing insistently now for the adoption of this resolution.

The Johnson bill, which I have no doubt the gentleman from South Dakota will bring to your attention and urge upon you in preference to this resolution before the conclusion of this debate, is a brief measure authorizing the President to draft the man power and material resources of the Nation and to stabilize prices upon a declaration of war. It embodies a grant of sweeping and enormous power. Perhaps it is all that is required. But the difficulty has been that many hesitate or oppose such action without greater study or deliberation than the subject has thus far received or until it can be studied in all its aspects as proposed by this resolution.

The Democratic platform of 1924 carried this plank:

In the event of war, in which the man power is drafted, all other resources should likewise be drafted. This will tend to discourage war by depriving it of its profits.

And the Republican platform in the same year this one:

We believe that in the time of war the Nation should draft for its defense not only its citizens but also every other resource which may contribute to success. The country demands that should the United States ever again be called upon to defend itself by arms the President is empowered to draft such material resources and such services as may be required, and to stabilize the prices of services and essential commodities, whether utilized in actual warfare or private activity—

Which plank was repeated in the platform of 1928. The annual message to Congress in December, 1925, of President Coolidge contained this declaration:

A sound selective service act giving broad authority for the mobilization in time of peril of all the resources of the country, both persons and materials, is needed to perfect our defensive policy in accordance with our ideals of equality.

It should be interesting for us to have the views on this great subject of the one who is now our President. I quote from a letter written to the gentleman from South Carolina [Mr. McSWAIN] when the matter was under consideration of the Military Affairs Committee in 1924:

MY DEAR CONGRESSMAN: I have been informed that you desire to have my opinion on the bill you introduced in respect to organization and mobilization of industry and the civil population, generally, in war. I am in firm agreement with two principles you have under consideration; first, to blot out any expectation or realization of a profit as the result of war; and, second, to be forehanded in organization.

He then proceeded to discuss the administrative features required and ended with this profoundly interesting statement:

I would suggest that from a legal point of view a general clause should be added to the bill giving a blanket authority to the President to fix prices, wages, transportation charges, compensations, embargoes on imports and exports, to exercise war powers of requisition under circumstances that 75 per cent of the estimated value may be paid and the balance determined by the courts in case of disagreement; suspend habeas corpus and generally complete an absolute authority in all ramifications over the whole civilian life with the provision that he may delegate these authorities through the various agencies. War is an unhappy business, and the great bulk of our ordinary safeguards of life must be forgotten, and the more evident it is that the whole Nation will be put in the storm and made to bear its share of the sacrifice the less likely we are to go to war.

And he called attention in his testimony before the committee to the British Defense of the Realm act, which had been prepared long before the war and was put instantly in operation, conferring the most complete powers ever conferred upon a government.

And here, now, we are offered the opportunity to finally give effect to all such declarations and recommendations and to be prepared in this full manner in the event of the calamity of another war. This measure, in its contingent aspect, far transcends in importance the measures with which we are usually called upon to deal. It is 10 years since our last Great War ended. Year by year its lessons and experiences are receding farther and farther into the past, the participants in the great drama growing fewer and older, and it is losing its importance as a subject of public discussion or consideration. Yet in the interest of the national defense, in the interest of due preparation for the next great war, whenever sooner or later that great affliction and emergency shall come upon us, what could be more important than the purpose of this resolution? If the measure it contemplates is adopted, it will mean that when we go to war everybody and everything needed will go in the war. Property, capital, and industry will be drawn upon on the same terms, so far as practicable as we draw upon the young manhood of the Nation. No holding back on account of wealth or

position so far as humanly possible, so far as it can be avoided, no slackers, no inequalities, no special or financial advantage to anyone who is held out of the fighting forces for service deemed in his case more useful. Also, so far as practicable, equality of compensation for the man with the rifle and the man in commerce, business, or industry; all of fighting age put on absolute equality and used where their service can best be applied; no superior advantage to the man who is permitted to stay at home, no matter what his condition in life. To show the way to accomplish all this or as much as is reasonably and legally possible under our system of government will be the supreme task of this commission.

It was John Adams who said: "The national defense is the cardinal duty of the statesman."

That duty is ever present, no matter how remote the possibility of war. And so this measure is within the scope of our ever-present duty.

From the standpoint of the national defense, the "universal draft," or "universal service," as President Harding was pleased to term it, will prove of inestimable advantage. It is hard to conceive of the nation or combination of nations that would resort to war with us with the full knowledge of the way this great Nation would then go to war.

When we show the world how America will go to war, if war is forced upon her again, the world will not be apt to want any war with us.

From the standpoint of social and economic justice, there would be no inequality as in the last war; no cause for the burning sense of injustice and unfairness felt by the men who served in our armed forces at the fact that while they were called upon to fight and maybe to die, thousands of others of their own ages were fattening off the war and making profits or earning compensation greater than they ever had before or than they had any moral right to make. That should all be done away with—no more a dollar a day for the man in the ranks and \$40 a day for the man in industry; no necessity or reason for any demand after the war to adjust the compensation of the one to the other. As President Harding said in his inaugural address:

There is something wrong with the democracy which sends its young men to war and at the same time gives their fellow countrymen the opportunity to make enormous profit.

It is to provide against that shocking inequality that we are seeking to legislate, or as President Coolidge said:

There is little defense which can be made of a system which puts some men in the ranks on very small pay and leaves others undisturbed to reap very large profit.

From the standpoint of limiting the cost of war it should be profoundly effective. The cost of war, irrespective of the necessary toll in human life and suffering, is measured largely by the duration of the conflict and the cost in prices exacted or required to be paid for the materials and munitions to sustain and equip the armed forces for the fighting. In that we would be better prepared, we should be able to force the issue and bring the conflict to an earlier conclusion. In that we would be able to fix or control and thus to stabilize prices we should avoid for the first time in our history, the disgraceful profiteering and preying on the necessities of the Government and fellow countrymen, that have marred the otherwise creditable and glorious record of every war we have fought. The luster of the record of our fighting forces has been too often dimmed by the greed and avarice of many of those necessarily called on to supply their wants. As President Coolidge also said:

In the advent of war, power should be lodged somewhere for the stabilization of prices so far as that might be possible in justice to the country and its defenders.

Thus being able to hold prices down to a reasonable level, by being able to stabilize prices, the ultimate cost of a war will be relatively kept down as it never in our history has been before.

In discussing the result, if power and organization as contemplated had existed in the last war, Bernard Baruch, who in the latter stages of the last war through the War Industries Board exercised the full power delegated to him by the President, said at one of our hearings—

If such an organization, which we were approaching at the end of the war, had been put into effect at the beginning, the cost of the war, in my opinion, would have been not more than one-half of what it was, and there would not have been economic chaos and profiteering.

It is true that in the last stages of the war the Government or the President was very nearly, through his War Industries Board and other controls, exercising the powers here contemplated, but this was because of voluntary submission to the power and authority found necessary, asserted, and exercised.

What we are proposing is to write this authority into the law to avoid any question of the validity of its exercise.

We entered the last war absolutely unprepared, with no adequate law on the books to meet the needs of the great military and naval effort required. We at once went to conscription or the draft of man power, but it was many months before adequate provision was made for the equipment of our forces, and then, as we all know, the war was practically over before the supplies came through in the mass or quantity required. Mobilization of man power proved comparatively easy, but the mobilization of industry and resources proved a herculean task, bristling with unforeseen problems and difficulties.

Let me mention some of the elements it was found necessary to control and coordinate, and as to which it was found necessary to establish priorities: Raw materials, foreign commerce, prices, food, power, capital, labor, transportation, communications. All of these were controlled during the World War, but the controls were only developed from the stern exigencies of the situation as the war progressed, and became possible mostly by reason of voluntary submission to the will of the Government. The enormously increased cost ensuing from the lack of these controls in the early stages of the war make it our duty now in time of peace to provide that each of them shall become available in time of war. If the legislation here contemplated is accomplished every necessary control can be made ready to go into operation immediately.

The national defense act as amended in 1920 as the result of our war experience goes part of the way. It fixes the responsibility for the making of plans for the mobilization of material and industrial organizations for war-time needs; it provides for an expansible organization of the Regular Army, National Guard, and reserves, but it makes no provision for actually mobilizing either the man power or the industrial resources. It provides for the making of plans, but practically stops there. We know that the successful waging of a great war requires the prompt mobilization not only of an army but of the whole nation as well. For almost 10 years we have waited to take the great necessary steps contemplated by this measure. Let us wait no longer. We have not now even a selective draft act to provide the man power and little of the necessary legislation which our experience in the late war showed to be so vitally necessary to meet the shock of another war. Are we still to wait, as we did before, until we are actually at war to put the needed laws upon the statute books or shall we, as far-seeing statesmen, under the greatest of our responsibilities, namely, to provide for the defense of the Nation, do our part, take this step toward providing for this wise, practical, and necessary measure of national defense?

In the lecture which he has been accustomed for some years to deliver at the War College Mr. Baruch, than whom no man in the country is better qualified to express a valuable opinion on the subject, usually begins as follows:

I strongly recommend that legislation be put into effect that would give power to the President, in case of war or threatened war, to mobilize immediately the resources of the Nation. That would mean the mobilization of men, money, materials, and foods, the fixing of all prices; that means labor also and the regulation and distribution of production.

On the question as to whether we should now undertake to legislate for the "universal draft" without any such preliminary study and investigation as here proposed, I quote from a speech advocating such a commission made five years ago in this House by the distinguished gentleman from Iowa [Mr. RAMSEY] as furnishing a fairly complete answer. He said:

The conscription of all the resources of the Nation, both human and material, is a big and very complex proposition. It extends beyond the jurisdiction of any one of the standing committees of the Houses of Congress. It is a subject that covers every activity of the people—labor, agriculture, industry, finance, business, and others. The committee or commission authorized to investigate this subject should have wide powers, including the power to call before it the best experts in the country, both in and out of the Government service. To go into this question thoroughly will involve the expenditure of some money, which no committee of either House of Congress can do without special authorization.

The bigness and complexity of the problem appear from an enumeration of some of the questions which inhere in the problem itself. For instance, how far can property, including capital, be taken or commandeered without full compensation in the end, some time, and if not full compensation, what rule of value shall be applied when taken in or for war? How far can we wisely, prudently, or lawfully go in eliminating profits? What we must seek is constant maximum of production at lowest and unvarying prices. Can maximum of production be

achieved without reference to profit? Can all profit be eliminated without destroying the incentive to production?

Shall regulation of profits be entirely through the medium of taxation or through a fixed percentage above actual cost, or partly by both? Can all be put on the same basis of compensation as are the fighting forces? Theoretically they may be, but practically can they be? And, if they can, should they be; and, if not, how shall the compensation of those not in the fighting forces be regulated? These suggest but a few of the matters with which the commission must deal, and as to which they must find sensible and practicable conclusions.

Mr. TABER. Will the gentleman yield?

Mr. WAINWRIGHT. Yes.

Mr. TABER. On page 2, at the end of the first section, should there not be some language that would provide for the appointment of the commission by the President?

Mr. WAINWRIGHT. I think there should be, and before we get through I think that provision should be made. I had already noted that omission.

Mr. Chairman, because the ultimate effect of this resolution is so sound from the standpoint of national defense, because it is so desirable from the standpoint of minimizing the costs of war, because it is so just and fair from the standpoint of distributing fairly the burden of war, because, and above all, it should be so effective in keeping us at peace and out of war, and, lastly, because of the patriotic impulse on which it rests and the weight of authority and sound judgment with which it comes to us, we should pass this resolution.

To-day we may be basking in the sunshine of peace and contentment, but to-morrow we may be struggling in the throes of a bitter, bloody war. That is no trite sentiment, but the lesson which should have been burned into us by all the history and experience of the past, to which history and experience we are no strangers. So it behooves us, charged as we are with a sacred trust, profiting from our recent experience, to make this provision for the national defense. [Applause.]

Mr. POUL. Mr. Chairman, I yield 20 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, this measure is not nearly so innocuous as the gentleman from New York [Mr. SNELL] seems to think. To understand its true significance we must know something of its genesis.

Measures having for their purpose the conscription of property and labor for war have been pending before Congress for some eight years. To know what is contemplated and what it is expected will result from this commission we must study these measures and see what they propose.

The measure now before the House is designed as the entering wedge and as a basis for propaganda in behalf of the proposals embraced in the previous bills. Members who are for the conscription of property and labor should be for this proposal. Those who are against such a radical purpose should be against this proposal. The time to put out a fire is when it starts. The time to scotch a snake is before it coils to strike.

This measure would never have been here except for the championship of those like the gentleman from New York [Mr. WAINWRIGHT], who has just taken his seat, who believes in the conscription of property and labor. These forces have been behind it, and have been pushing it on in every possible way; they are behind it here to-day, and they will vote for it unanimately. It is not study of the proposal which they desire, it is that it shall be pushed on to consummation and be ripened into the adamant of established law.

#### TO REDEEM THE REPUBLICAN CAMPAIGN PLEDGE

This resolution is no mere gesture, no mere passage in the air, it has a partisan political aspect, as I can readily recognize.

To understand more fully what is behind it let us read an extract from the Republican platform of 1928. It will be found on page 10629 of the CONGRESSIONAL RECORD of May 29, 1928. Here it is:

We believe that in time of war the Nation should draft for its defense not only its citizens but also every resource which may contribute to success. The country demands that should the United States ever again be called upon to defend itself by arms, the President be empowered to draft such material resources and such services as may be required, and to stabilize the prices of services and essential commodities, whether utilized in actual warfare or private activity.

Note its provisions carefully—the "President" is to do the drafting; the "President" is to have this deadly power, and is to decide when it shall be exercised. Note again that "services" are to be drafted "services"; to wit, labor, and that this labor is to be "utilized" in "private activity."

We are here to-day to redeem a Republican political campaign promise.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. No; the gentleman must excuse me. Mr. WAINWRIGHT. I wanted to ask the gentleman what the Democratic platform of that same year said.

Mr. HUDDLESTON. The people who wrote the Democratic platform in 1928 had sense enough to keep quiet on the subject. [Laughter.] In the 1924 platform the Democrats declared in favor of taking the profits out of war. They have never proposed the conscription of labor.

I can conceive of a "regular" Republican feeling obligated to carry out his party's platform. It is the "regular" thing to do, but I can not conceive of any real Democrat helping carry out a vicious and foolish plank of the Republican platform.

#### HARMLESS IN APPEARANCE, VICIOUS IN INTENT

This resolution is well disguised. It looks quite harmless on its face. Its pretence is really to study the question, to see whether it is feasible, and what ought to be done. That is the guise in which it is put forward. What is really intended to be done, as we are bound to assume if the Republican control has the least vestige of honesty left, is to redeem the party's campaign promise. Unless Members are prepared to make good upon that campaign declaration, an affirmative declaration in behalf of the conscription of property and labor, property for both public and private use and labor for both public and private industry—unless they are prepared to commit themselves to that awful proposition, then the time to stop is now.

That is what it really means. In considering this measure we should recognize that that is what is contemplated, and that this commission which is provided for will be composed of those who are utterly servile to the influence of the War and Navy Departments and will return to us with a bill which carries to its deadly fullness that which is proposed by this Republican declaration. It is our duty to consider this measure in the light of that which is contemplated and the purpose to be accomplished and to visualize what will be the ultimate result.

#### CONSCRIPTION NOT FOR PUBLIC PURPOSE BUT FOR PRIVATE PROFIT

Here is a proposal to conscript property for public use and for private use—to take property, not merely to devote it to the public service nor to use it for the direct purposes of war but to place it in the hands of selfish men for use in their private industries—to put money in their pockets as a result of the conscription.

In principle this is the most flagrant attack ever made within this Chamber upon the institution of private property. Gentlemen on the Republican side point to themselves and their party with pride as the defenders of private property. Now you propose to strike down the sacredness which has hitherto attached to it and say that the owner of private property has no rights in it that the Government is bound to respect.

#### A COMMUNISTIC PROPOSAL

This proposal, in so far as its principle is concerned, is essentially communistic. No blatant red-eyed radical ever proposed anything more destructive of the institution of private property. No Bolshevik in the confiscation of property in Russia ever proposed anything as radical as this. The confiscation of the most extreme communist has always been excused as being for the public good, for the general public welfare, and as in the interest of society at large. Here is proposed a confiscation not solely in the public good, but which may be for private benefit. There is an essential difference. The Republicans call themselves the champions of private property and say they will defend it. Yet with this proposal they strike it down and deal it a mortal blow. It is not an attack which comes from the body of the people, not an attack by the proletariat—by the vast propertyless class. It is not originated nor made by them. It is not an attack from below but is an attack from above. It is an attack not by the rabble but by organized government now unhappy under the control of the great property interests of the country.

#### THE "PSEUDOSOCIALISTS"

The doctrines of Carl Marx are entirely respectable. He founded a school of political and economic philosophy, the teachings of which are worthy of the study of any man who desires to be well informed. I am not a Socialist, but I have respect for the teachings of socialism. I recognize the profound philosophy upon which they are based, and I have great respect for a true socialist, for it is my observation that he is usually a well-informed and thoughtful man and is devoted to the public good. He is interested in society as a whole, and is usually willing to make sacrifices for its welfare.

But there is another class of socialists, alas, too prevalent in these times, who, while they claim to be democratic in their faith, are betraying the principles of democracy and going over to socialism. I call them the "false" or "pseudosocialists."

They are those who press for a kind of state socialism, not for the benefit of the whole people, but for the benefit of a small, privileged, exploiting class. For them it is impossible for me to entertain respect.

No nonsocialist can define socialism to the satisfaction of a Socialist. But I may say that it is the fundamental of socialism that the good of society is paramount—the good of society at large. The doctrine may be stated as that the private individual has no rights which society at large is bound to respect or to give effect to, when they are in conflict with the interests of society. The doctrine stated even in extreme terms is worthy of consideration and respect. It is worthy of study, but it is entirely opposite to the doctrine of individualism upon which our political and economic institutions are founded.

#### THE DOCTRINE OF INDIVIDUALISM

The doctrine of individualism is that society, when it comes into conflict with the rights of the individual, has no rights beyond such as are essential to its existence. It declares that there must be an essential and direct interest of society involved, otherwise the rights of the individual to do as he chooses to do must be free and unrestrained. Democracy holds that the rights of the individual are not mere political rights but that they are natural, moral rights, because God gave them to man when He made him a living soul. Thus saith the democratic law, "that all men are created equal that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness." And society can not take them away. They are inalienable. Men can not sell them, and they can not be confiscated—they can not be conscripted either in peace or in war. But the pseudosocialists say that man has no rights that they are bound to respect, that they may do what they choose with the individual, so long as it may be pretended that the public interest is advanced thereby, and particularly when the welfare of the privileged classes and particular interests and individuals is served.

This measure assumes the propriety in case of war of taking property without due process and without just compensation. It assumes the validity of subverting the owner's interest because of an emergency due to war. But war is merely one of many conceivable causes of national emergencies. Flood, famine, and plague may produce emergencies as great as war. If private ownership may be set aside for a war emergency, it may with propriety be set aside on account of other emergencies. And at last the principle being established, it is left for those in position of decision to say what is an "emergency."

The propertyless masses may conceive of an economic emergency arising from the collection of natural resources and wealth into the control of a few. The proletariat may find in the conscription of property for a war emergency a precedent for confiscation to remedy economic conditions. The attack on property, started from above by those who control the machinery of government, may yet be offered as an excuse for an attack on property from those dissatisfied with the distribution of wealth.

#### THE OPPOSITION OF LABOR

There are friends of the laboring man on the other side of the Chamber. Little as anyone would think so, there are many Republicans [laughter] who are friendly to the men who toil. There are Members on that side who want to respond to their obligations to average men and women.

I am not authorized to speak for labor. Labor speaks through its own chosen agents, of which I am not one. I was never eligible to belong to a labor organization. I am interested in labor only because I am interested in the masses of men. But I am familiar with the thought of labor. I know what the laboring people are thinking about. I know their principles and what their views are on public questions. I know, if you do not, that labor is against this measure, and labor will remember it against you if you vote for it.

Do not anybody think that is a threat. It is not. I have no authority even so much as to speak for labor. It is merely a warning. I know labor, and I warn Members of the House that labor will hold them to a strict account for their action here to-day.

Labor well knows what real purpose is behind this measure. The leaders and those who are active in the labor movement are of the most intelligent class in this country. They know what is being done here better than the bankers and other business groups know. They know what you are doing better than the bankers and lawyers in your districts know. They know the purpose of this measure.

Labor advocates no revolutionary doctrine! Organized labor is in favor of the established order and is friendly toward the institution of private property. Organized labor will defend that institution, although the pseudosocialists have betrayed it.

#### A MEASURE AIMED AT LABOR

Organized labor knows that this measure is aimed at labor. Disguise it as you will, sugar coat it as the gentleman from New York [Mr. SNELL] has done, labor is undecieved.

Sugar coat it as you may, labor knows at whom this measure is aimed.

Labor realizes that property can always take care of itself. You can pass your conscription measures, to conscript property, but the great property interests will not be disturbed. Labor knows that property can not be conscripted, because property is so strong a giant that it moves executives and legislative bodies and when need be even courts like puppets on a string. Do not think for a moment that this measure will do real violence to private property. It may do so in principle, but what care its advocates for mere principle. That feature is thrown in just to help with the disguise. Those who are back of this measure apparently think that property has been omitted and its supporters are merely saying by it, "We will go out and conscript labor for the next war." That is their real purpose.

Mr. CRISP. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. CRISP. Is it not true that without a constitutional amendment you could not make this proposition effective?

Mr. HUDDLESTON. Under any reasonable and understanding interpretation of the Constitution you can not conscript property and labor without a constitutional amendment. Of course, the courts are composed of men—human beings like everybody else. No man can predict what they will do if the public demand is loud enough.

Mr. MOORE of Virginia. Mr. Chairman, may I interrupt the gentleman there?

Mr. HUDDLESTON. Yes.

Mr. MOORE of Virginia. I agree with the legal proposition the gentleman has just expressed, but I would like to ask the gentleman this question—

Mr. HUDDLESTON. May I say before the gentleman proceeds with the question that in agreeing that a constitutional amendment is required before labor or property can be conscripted, the gentleman, by implication, does the very thing that I have been trying to avoid doing—he impeaches the good faith of those pressing this resolution.

Mr. MOORE of Virginia. No; I did not so intend.

Mr. HUDDLESTON. Not intentionally, but it follows necessarily that they know that this measure is a mere gesture designed to pass for an attempt to redeem that campaign promise. I have been trying to take them seriously, but it is hard to do. [Laughter.]

Mr. MOORE of Virginia. Does not the gentleman think that in advance of any further danger of war the Constitution ought to be amended as proposed by the Dill resolution pending in the Senate, or by some similar resolution?

Mr. HUDDLESTON. I am not familiar with the Dill resolution.

#### TAX THE PROFITS OUT OF WAR

A good way to prevent war would be to provide for a system of taxation which would take away from the profits men might expect to make. Yet the chief interests that are pushing this measure are those who refused to help to levy such taxes when it was proposed to do so when we were actually at war. When it was then proposed to take the profit out of war by taxation they opposed the taxation.

I repeatedly said on the floor of this House during the World War that no man should be permitted to come out of the war richer than when we went into it, and I advocated then a system of taxation of profits that would take away the war profits. I found myself then opposed by some of those who are now pushing this measure. They not only opposed my proposals and defeated them but they damned me as a "socialist." The true socialists did not do that, but the pseudosocialists of then and now. I was "attacking property," they said. They are not interested in principle—they are interested only in results of the kind that fall and "clink" one on top of the other into a coffer. That is the brand of socialism that they favor.

I picked up this morning a speech that I made in this Chamber on July 9, 1917. It was printed in the RECORD, page 479, volume 55, part 8. I then said:

It seems fundamental to me that there should be no profits in war; that neither financiers nor war contractors should be allowed to make money out of their country's misfortune and from human misery and suffering.

Men are being conscripted for the war. Why should not profits and incomes also be conscripted? What moral right is there in big business concerns to pile up swollen fortunes while the country is being bankrupted and bled white? This war should be paid for by those who

are able to pay, by those who make a profit from it. They should not be permitted to come out richer than they went in, while the plain people come out decimated and impoverished.

I realized then that it was impracticable to attempt to conscript property; that the final results of such an attempt would prove disastrous; that it were better to permit profit making than to try to stop it by such a means; that it would "be insane to burn the house merely to destroy the vermin."

I advocated that neither financier nor contractor should be allowed to make money out of their country's misfortune, and from human misery and suffering. That, of course, is an ideal—it expresses the standpoint of idealism. I realized then, and I realize now, that if we should have a system of conscription of property for war, the results would be more disastrous than if we should lose the war. Preferable it would be to lose the war than an attack on private property and the disruption of the channels of commerce and human activity, as would follow on any such a strategy.

#### PROPERTY WILL TAKE CARE OF ITSELF—LABOR NEEDS DEFENDERS

But, as I said, my tears now are not for property. Others will speak for it. Property will take care of itself. It fears no lack of champions. What does property care for constitutions and laws when property controls the Government which enforces the laws and the courts who interpret their meaning?

My grief is for the common people, those against whom this measure is aimed; those whom it is proposed shall be fettered in slavery under the excuse of patriotism, those who shall be fettered in slavery for private property.

And think of it—this proposal comes from the political party which pretends to descend from that great champion of human liberty, "Honest Abe." What a departure! What a fall! That supreme lover of liberty, now claimed as the fountain head of a party which betrays liberty upon every occasion! Abraham Lincoln would turn in his grave. [Applause.]

#### CONSCRIPTION OF PROPERTY IMPRACTICABLE

The proposal to conscript property is unworkable and impracticable. Conscription of property must take the form of physical seizure or of fixing prices. The major part of property is not useful for war purposes. If all is seized, the expense and the vast machinery required for administration will far outweigh any possible benefit. If only the useful property is seized, there will yet be waste, disorder, and difficult machinery to manipulate, with inevitable discrimination, favoritism, corruption, tyranny, and every conceivable governmental abuse.

To whatever extent property may be seized, there will result a corresponding social and economic disruption, with consequences of far-reaching extent and lasting long after the war has ended.

If there is conscription by the fixing of prices, the benefit, in any event, will probably not equal the harm which will be done. Prices are to be fixed for the period of the war only, with no account of the previous prices or prices after the close of the war. Again, there will be overwhelming disruption and confusion, which only the greatest war disaster would cause. The most serious economic aspect of war is the disrupting of the ordered channels of business activity. Governmental price fixing will greatly aggravate the economic disorder which follows a war and make worse that which must necessarily be bad.

The proposal is that "in case of war" the President shall be authorized to conscript. The authority is not contingent upon the strength of our adversary, but may be exercised upon war with some puny and ineffective power. He may exercise it in a war with the least of the nations if in his opinion it is desirable. We may therefore find a war deliberately provoked merely to bring this great power of the President into play, and find it exercised for reasons and under conditions never contemplated by Congress.

There are many who advocate peace-time price fixing for monopolized products or to prevent undue profits. The answer of their opponents is that freedom of contract is inherent in our system and fundamental. If, however, prices may be fixed because of a war emergency, they may with propriety be fixed because of any emergency or for other good cause. In conscription by price fixing, a precedent will be found for price fixing at any and all times—and away with the freedom of contract.

#### WILL NOT TAKE PROFIT OUT OF WAR

To conscript property either by seizure or fixing prices will not take the profit out of war. It begins with the beginning of war or when it is imminent. Profits which have been made in anticipation are left intact. During the year and a half prior to our entry into the World War greater profits were made than during the period of the war. The year and a half following the signing of the armistice was a continuous orgy of profiteering and profit making.

Perhaps, after all, the profit makers most dangerous to peace are those who make a business of furnishing Army and Navy supplies between wars—the preparedness-for-private-profit element. Vast profits are made in times of peace by Army and Navy contractors. It is to their interest that there should be great armaments on land and sea, and they foster war scares and other movements for the increase of Army and Navy. Their activities tend far more to produce conditions which make for war than the alleged influence of those who expect to make money while the war is on. The bill does not attempt to reach the peace-time military contractors nor to take away their profits.

The advocates of the proposal agree that where property is seized or prices fixed the owners shall be allowed a reasonable return for its use or profit in its sale. Again, the opportunity for favoritism and corruption in the exercise of discretion in fixing the profit and return.

No class ever derives benefits from war comparable to the professional soldier—the officer who has chosen arms as a profession. With war comes his opportunity for distinction and for rapid promotion. In war the officer caste receives the highest social honors and respect with an accretion of dignity to its calling. The officer is honored and glorified, with a corresponding enhancement of influence and emoluments. Trained to arms, he naturally relies upon force and regards war as a reasonable and proper means for the settlement of disputes between nations. No scheme for deprofiteering war should omit regard for this influential class of war beneficiaries.

#### DEPRIVES PEOPLE OF POWER TO VETO WAR

The Government of the United States belongs to our citizens. It is the instrumentality by which they express themselves and work their will. The people have the right to govern this country, even to misgovern it if they choose. The people are the source of all authority and have the right to decide public questions. It is a natural and moral right belonging to our system. The people have the right to decide whether there shall be peace or war. To wage war against the deliberate will and judgment of the majority is an indefensible governmental usurpation. There should be no declaration of war not supported by the considered judgment of a substantial majority of the people.

It is practically impossible to have a worth-while referendum upon war. The institution of war under our system must be left to the legislative and executive branches. But there should always be left to the people an opportunity to express their will upon it. They should always have the power to veto the war by refusing to support it. One reason why I have always opposed conscription of soldiers is that it deprives the people of their opportunity for decision upon war by forcing them to serve whether or not they agree with the justice of the cause. I oppose conscription of property upon the same grounds. It is not only bad public policy and violative of democratic principles, but it violates the natural and moral right of the citizen to take his property for the support of a war waged against his will and for purposes which his conscience does not approve.

#### PACIFISTS—EX-SOLDIERS—MILITARISTS

Strange to say, the proposal to conscript property and labor has assembled as its advocates antagonistic groups such as pacifists, ex-soldiers, and militaristic advocates of preparedness. Each group supports the measure for separate reasons of its own, reasons which are faulty and illogical except as to the militarists, whose position is in part well taken for their purposes.

The pacifist theory is that it will discourage movements for war. This theory assumes that expectant profiteers deliberately cause wars so that they may derive profits therefrom. Such influences are the least of all factors in producing war. The prospect for profits is too remote and dependent upon too many contingencies, and the hazard of loss too great to move any substantial number, no matter how selfish and wicked they might be. The profit makers are usually already men of property. Not all such men make war profits. Frequently they sustain heavy losses because of war. Profit making from war depends largely upon chance, the securing of contracts, the particular business in which men are engaged, and other factors which no one can foresee.

I fully agree that in the main wars are about property interests and their consequences are measured in terms of property, but the activities of profit makers most dangerous to the Nation's peace occur prior to war and only finally culminate in war. For illustration, financiers and industrialists advocate larger military forces so as to increase the Government's influence in imperialistic practices—in finding markets and opportunity for investment, and other means of exploita-

tion of foreign fields. It is with no deliberate purpose to cause war that the financier demands of his government that he be given a share in a foreign loan, or that the Philippines be retained so that he may invest and trade. The war comes maybe a generation later as the final and unforeseen result of governmental activity taken at his behest, and possibly by the war his investment and accumulations are lost. He did not will the war. Probably he will be dead when it comes.

All efforts to prevent or avoid wars which do not take account of the causes of war are wasted and vain. Wars can not be prevented by paper agreements. They are preventable only by dealing with their causes. Foolish indeed is the pacifist who hopes to avoid war by preparation for war, by organizing his country for war, by increasing its military strength and preparing to wage the most effective war. Such measures do but promote the war spirit and develop the "will for war" and the reliance upon force instead of upon right.

The ex-soldier, rankled by his own conscription, demands that property be put upon an equality with men. But let him reflect that among the conscripts themselves some were exalted and others thrust into the mire—there was no equality, for hundreds of thousands found the easier places and the easier way. Millions of others, for no sufficient reasons, were excused and exempted, and millions more were over or under age, and other millions were not conscripted because they were women. Under no possible system of conscription of soldiers can there be an equality of sacrifice.

Nor would the conscription of property produce equality of sacrifice, for never can the jeopardy of property equal the jeopardy of life, nor can the loss of property bring a pang equal to that of the soldier in the field. Equality of sacrifice, like equality of opportunity, is an abstraction and must remain a dream. In seeking it we must not enter upon impracticable and unsound schemes which will lead us far astray.

#### FAULTY LOGIC OF THE MILITARISTS

Of the groups supporting the measure only the militarists are sustained by a measure of logic. With conscription of men and property at the discretion of the military Commander in Chief, our Nation will be organized for war as never in all history was any nation before us. It will intimidate the nations, and will give us temporarily a preponderating strength. With one hundred and ten millions of population potentially under arms, backed by vast natural and industrial resources and an aggregate wealth of near three hundred billions, the nations will have cause for fear for our maneuver.

The nations will probably tremble temporarily. They will tremble until they themselves have put similar measures into operation. They will tremble only until by alliances they have restored their relative strength. Then we will be exactly where we began, and the world will be camped on a field mined with deadly explosives.

It is the way of all "preparedness." It leads toward war, for it is preparedness for war and not for peace. Nations that arm themselves drive nations with conflicting interests to arms, and the more thorough the preparation of one nation the more thoroughgoing must be the organization of its possible adversaries, until with each increase in burden in the competition in armaments a point is finally reached when the burdens become more onerous than even defeat might be, and the pressure to put the contest to an issue becomes irresistible.

There is no "adequate preparedness." Its meaning comes to depend wholly upon the strength of possible combinations of adversaries, and as the preparation must be made "adequate" to each change in the condition of the adversary there can be no stability and nothing fixed, but always an increasing competition in the burdens of alliances and armaments. All for doing a vain and useless thing.

Again, war is not merely a matter of machines and automations. The human element must not be overlooked. At last courage and love of country are necessary. Those who drive on and on with militaristic measures do not seem to realize that conscription does not make for love of country, that State slavery does not tend to produce intelligence, courage, and patriotism. In the long run the bravest men and the best soldiers are to be found among the freest men. Even with the world's brief experience with conscription it is demonstrated that conscript armies are not finally the most reliable. The test of a soldier is defeat. The free, the voluntary soldier, re-forms and fights again, but the soldier who was driven to the trenches is freed by defeat and goes his way. The world never saw such military collapse as that which followed upon the defeat during the World War of the conscript armies of Germany, Austria, and Russia.

Therefore, those who drive for conscription of men and property go forward to destroy the quality of the materials with

which they would seek victory; as they sacrifice the liberties of the people for efficiency in war they destroy the efficiency which they would promote. Conscription is not an instrument for permanent military success. Rather it is a means to final destruction and defeat.

#### WAR SHOULD BE OUTLAWED

I am in full harmony with those who would prevent war. I would join them in outlawing war and, failing that, in minimizing its horrors and its consequences.

War is a crime against civilization and humanity. It is the most stupendous folly of mankind. Few wars are worth what they cost, for the price of victory nearly always outruns any benefit which may be gained. Even in victory there is defeat, for in success are nearly always the seeds of eventual disaster.

War is never justified unless it be fought in defense of liberty. No people ever gained an increased measure of liberty for themselves by waging a successful foreign war. Frequently the vanquished are freed by the defeat which discredits their ruling class, and frequently conquest feeds a nation's pride in military prowess and causes the surrender of cherished liberties to the demand for more perfect organizations. Defeated Germany, first to use conscript armies, substituted the rule of democracy for the autocrat, while victorious America turns toward gross materialism and submits to the indignity of conscription.

Mr. THURSTON. Mr. Chairman, I yield 20 minutes to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Chairman, ladies and gentlemen of the House, in discussing this legislation it will perhaps be necessary for me to trace some of the history of the World War and the legislation that has come from that war.

It happened that I was a Member of this body at the time war was declared—that war which was to end all wars and make the world safe for democracy—and I was present and voted for the conscription law that created the so-called draft army, and associated with those men in a combat unit.

I can well recall the debates that have been referred to to-day by the gentleman from Alabama [Mr. HUDDLESTON], who did at that time desire to limit profits; and I can remember, although I have not refreshed by memory from the record, the time when the great statesman from Iowa, James Good, later Secretary of War, was fighting to limit profits from the World War, and was not successful.

Most of the men who returned from combat units in the World War were not satisfied with what the Government had done during the war, in the limitation of profits. They had seen men killed and wounded and maimed and had seen them suffer, and upon their return they found that great fortunes had been built up, and it seemed that the Government should be able in some way in the next war to eliminate such profits. I may say, I am one of those who believe that wars will never cease.

There was that same feeling among all the citizens of all the countries, whether they were service men and women or not. There was the same agitation in England, in France, in Italy, and in Belgium. An equivalent law to that now before this body is now pending before the Chamber of Deputies of France, with a strong probability of its being enacted into law.

In 1921, in the city of Washington, some of us were discussing a law that would be constitutional, which would draft men and limit profits; and such a bill was drawn by Mr. Marquis James and myself. You may recall that Mr. James is one of the great writers of the country, who at that time was writing for the American Legion Weekly, and is now writing for the American Legion Monthly. One of his recent articles, on the conditions in Haiti, is one of the best literary productions of all the writers who have discussed that island.

With a lead pencil we drew a law which we thought would be constitutional. We first came to the conclusion that a constitutional amendment was necessary to conscript capital, and I have never changed from that viewpoint. So the first resolution that I introduced was a constitutional amendment, introduced in 1922, but we found we never could secure the enactment of a constitutional amendment. If we are going to try to proceed in that way there will never be any legislation, because certain groups, including men of great means, and the most radical end of union labor, are opposed to the legislation, and will always be able to prevent the passage of a constitutional amendment. So we drew this law and took it to the convention of the American Legion, at New Orleans, and tendered it to that convention and that plan was indorsed by the American Legion.

Later a committee of five eminent lawyers, just as able as could be appointed by the President of the United States if this resolution were adopted, was appointed by the then commander of the American Legion, Col. Hanford J. McNider, of

Iowa, and these gentlemen prepared a form of bill which I have introduced at each session of Congress since that time. I first introduced it on September 21, 1922—the constitutional amendment, and the law on December 6, 1922. It has been changed somewhat in form. It has been before the Committee on Military Affairs ever since that time, and it is to-day pending before that committee as House bill 8313. Hearings were held on that bill in 1924 and again last year.

It is fundamental to me that legislation must be drawn and drafted by the committees of the House of Representatives, and not by some high-brow, altruistic commission; and if the Members of Congress can not draft the legislation that is required, and can not secure the assistance they may need, in my judgment they should not be in charge of legislation.

It has been said that this great Committee on Military Affairs is not competent to draft this legislation. It has been said that they do not understand the military situation. It has been said that they do not know what ought to be done and could not express the things that should be done in the law if they did know; but I am not one who believes that. I believe that on this Committee on Military Affairs are some of the strong, able Members of Congress. Believing that, I ask why, since 1922, with this bill before it every day and with two sets of hearings, they have not been able to report a bill. I have come to the conclusion that the Members of that committee are opposed to the legislation, regardless of what they may say on the floor of the House, regardless of how they may weep briny tears for the ex-service men and, figuratively, wade knee-deep in blood with them in all the battles.

The legislation could be enacted.

I am going to vote for this resolution. In my judgment it is entirely innocuous, it will have no effect, and it is not intended to help the real legislation, but, as the chairman of the Rules Committee said, I do not see how it can hurt anything. However, I doubt if it can do any good. I shall attempt to amend it by striking out the figures 1932 and inserting 1931. [Applause.]

If they want to investigate let them investigate and get it done quickly. If the Committee on Military Affairs can not draft this legislation and they think they can bring in Barney Baruch for capital, Clarence Darrow for labor, and George Peek for agriculture, and they can draft a better bill than this committee, I am willing they should try them. But I am going to make a motion to strike out that part of the resolution which brings in all of these civilians. We have the Committee on Military Affairs and my idea is that that committee could draft such a bill and bring it before the House if that committee believed in it. I am in favor of stopping all camouflage about this proposition. If we believe in the limitation of profits, why not enact a law that will limit them and stop investigating?

I know perfectly well that under the Constitution you can not conscript capital, but you can limit the profits of capital. I know, furthermore, that the chairman of the Committee on Military Affairs, my friend and an eminent gentleman, has before the Congress to-day a bill to conscript men, and if war were declared to-day you would conscript men to-morrow. Then for a year we would be debating as to what we should do to capital, and in the meantime all the "war babies" would go up 800 points on the stock exchange just as they did in 1917.

Mr. RAMSEYER. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. RAMSEYER. What does the gentleman mean by his statement that under the Constitution you can not conscript capital?

Mr. JOHNSON of South Dakota. I will answer the gentleman by saying that we have discussed this before and we know there is some question about what could be done under the war powers. I believe that is what the gentleman is getting at.

Mr. RAMSEYER. No.

Mr. JOHNSON of South Dakota. Under our war powers—although there have been no decisions on the question—we might be able to go much farther than we could under the powers of the Constitution in time of peace, but as I have stated to the gentleman before you would perhaps conscript capital under the war powers and then you would pay capital four times what it was worth after the war was over.

Mr. RAMSEYER. Here is the point: The Government can take property and it can take capital for public use. What the gentleman has in mind is that you can not take property and that you can not take capital without just compensation.

Mr. JOHNSON of South Dakota. Oh, certainly; that is fundamental.

Mr. RAMSEYER. The gentleman does not mean that the Government can not conscript or take property and capital.

Mr. JOHNSON of South Dakota. There must be compensation.

Mr. RAMSEYER. Here is the suggestion that has occurred to me in studying this proposition. The Supreme Court has never had before it the question of what constitutes just compensation in war time, when all property and all life is in jeopardy. I am wondering if and would not the Supreme Court, with the country in a state of war, with all life and all property in jeopardy, adopt a different rule as to what constitutes just compensation than it would in times of peace, when all property and all life are secure?

Mr. JOHNSON of South Dakota. I can not yield to the gentleman to make a talk on it.

Mr. RAMSEYER. I am simply asking the question.

Mr. JOHNSON of South Dakota. And I am going to answer the question. It might be if, as the gentleman has said, we had justices of a certain type as members of the court, that then the court would so hold—and I believe it would—but until that can be done, I have desired to secure the passage of a law that I know is constitutional.

Mr. PATMAN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. PATMAN. I believe it has been stated that the gentleman from Michigan [Mr. JAMES], the chairman of the committee, is against this resolution. Does the gentleman know whether that is correct?

Mr. JOHNSON of South Dakota. I can not speak for him, and I have made it a universal policy not to try to speak for any Member of Congress as to his viewpoint.

Mr. PATMAN. Is it true that the gentleman from Michigan is now in the hospital?

Mr. JOHNSON of South Dakota. Yes. He is a fine gentleman, and I wish he were here to-day.

Mr. RAMSEYER. The gentleman has not answered my question. Does the gentleman think there is a possibility that the Supreme Court, with that issue before it, would adopt a different rule as to just compensation in time of war than in time of peace?

Mr. JOHNSON of South Dakota. I think there is.

Mr. BANKHEAD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. BANKHEAD. Did I understand the gentleman to say it was his purpose to offer an amendment to strike out all members of this proposed commission except the congressional part of it?

Mr. JOHNSON of South Dakota. No. I do not propose to attempt to eliminate the members of the Cabinet.

Mr. BANKHEAD. The gentleman proposes to leave them in but proposes to strike out the five outside representatives?

Mr. JOHNSON of South Dakota. Yes. However, the Cabinet officers, as the gentleman knows and I know, will not do any of the work. They are so busy now they could not possibly give any attention to a matter of this kind. What they will do is to assign some lieutenant commander from the Navy, some lieutenant colonel from the Army, some deputy labor commissioner from the other place, and some subassistant from the Department of Commerce who will meet with this commission about once, and the work will be done by the Members of Congress. I say it ought to be done and done by the Military Affairs Committee. Now, who will be on this commission?

I assume my friend the gentleman from New York, the author of the resolution, my friend from South Carolina, the previous author of it. That being so, I do not see why they could not do just the same work as members of the Military Affairs Committee, and then if they wanted the assistance of Barney Baruch and Clarence Darrow they could call them in and have the benefit of their advice.

Now, the bill I have introduced and referred to provides:

H. R. 8981

A bill to provide further for the national security and defense

*Be it enacted, etc.,* That in the event of a declaration of war by Congress which in the judgment of the President demands the immediate increase of the Military Establishment, the President be, and he is hereby, authorized to draft into the service of the United States such members of the unorganized militia as he may deem necessary: *Provided*, That all persons drafted into service between the ages of 21 and 30, or such other limits as the President may fix, shall be drafted without exemption on account of industrial occupation.

SEC. 2. That in case of war, or when the President shall judge the same to be imminent, he is authorized and it shall be his duty when, in his opinion, such emergency requires it—

(a) To determine and proclaim the material resources, industrial organizations, and services over which Government control is necessary to the successful termination of such emergency, and such control shall be exercised by him through agencies then existing or which he may create for such purposes;

(b) To take such steps as may be necessary to stabilize prices of services and of all commodities declared to be essential, whether such

services and commodities are required by the Government or by the civilian population.

Now I wish that under the rules of the House I could offer this bill as an amendment to the pending resolution, but I am prohibited by the rules from doing that. There is no way in the world that we can get a vote on this bill except to have it reported from the Committee on Military Affairs.

At one time, in the exuberance of youth and proceeding on the optimistic theory that the people of this country desire to limit profits in time of war, I filed a petition trying to get a majority of the Members of the House to sign up, and I think I got about 50 members. I know this is a procedure that the Members of the House do not desire to use, because it is difficult to secure good legislation when it is not considered by a committee. If there were any human way I could get this bill before Congress I know we could pass it by 90 per cent of the votes, but I am blocked by the Committee on Military Affairs.

Now to try to escape from this situation—

Mr. GARBER of Oklahoma. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I am sorry I can not yield.

Mr. GARBER of Oklahoma. It is only a question for information. Was the bill the gentleman refers to submitted to his committee and a report made on it?

Mr. JOHNSON of South Dakota. No; not to my committee. I can not handle that bill. I am chairman of the Committee on World War Veterans' Legislation.

In an attempt to secure action, not long ago I redrafted the bill and sent it over to the Committee on Naval Affairs, hoping they would establish the rule at least for the Navy and that they would limit the profits of the contractors who deal with the Navy during a war. I am hopeful of securing hearings there. If we could secure hearings before the Committee on Naval Affairs, and if they would report a bill that would take care of the Navy, then the Committee on Military Affairs would probably have to come along, and in this way we could secure some legislation.

Mr. SIROVICH. Will the gentleman yield? Is the American Legion for this resolution?

Mr. JOHNSON of South Dakota. The American Legion during all the years since 1922 has indorsed the bill to which I have just referred and which I have had pending before the committee every year since then and up to the present time. Last year at their convention, it being evident they could not get action from the committee, they then indorsed the Snell resolution, which was the Wainwright resolution, and formerly was the McSwain resolution, because the Legion came to the conclusion they could not get anything else.

The American Legion knows this does not amount to anything just as well as I do and just as well as everybody else here knows it. It will only delay things until 1932, but at least they could get the matter before some committee where they might get a little discussion. Of course, what the Legion wants, as they have said a dozen times, is legislation. They do not want a lot of talk. They saw the money that was made in the last war. They know it will be made in the next war, and the responsible members of the veterans' organizations want to see some legislation from the proper, responsible committees in Congress that will limit profits during the next war; but if they can not get that they will take the next best thing, just exactly as you and I if we can not get a whole loaf will take a half loaf.

I have no personal feeling about this matter whatever. I do not in any way want to be abusive concerning an individual or a committee, but I feel deeply concerning it.

I came back from France from a combat unit about two-thirds bolshevist myself, as some of the old Members here may recall. Those of you who will pick up some of the recent literature or have followed some of the recent lawsuits will remember that Representative WOODRUFF, of Michigan, and myself made the original attacks on this floor from which later developed much concerning the then Attorney General's department of this Government and many other departments. If you pick up a recent book by Mr. Gaston B. Means, who was sent up here by the then Department of Justice to embarrass us because we wanted to recover to the Government some of this money, you will find some very interesting reading that you perhaps did not know before with respect to the fight which we then had.

Mr. LAGUARDIA. And the gentleman was as right then as he is wrong to-day.

Mr. JOHNSON of South Dakota. I will say to the gentleman he and I agree many times, and I will concede the gentleman is right 50 per cent of the time. I know I am right to-day, because we ought to have this legislation.

I am going to vote for this resolution, after trying to amend it, believing it will amount to nothing, but at least it will keep

the matter before the public eye and perhaps some time, if it proceeds as it has in the past, by the time my 21-year-old son has great, great, grandchildren, and after the next four or five wars we may be able to limit profits; but at least as long as I am a Member of this body I am going to continue this fight, with the hope that some time we will get a Congress that will pass this legislation.

It has been indorsed by all the political parties. In 1924 the Democratic platform said:

War is a relic of barbarism, and it is justifiable only as a measure of defense. In the event of war, in which the man power of the Nation is drafted, all other resources should likewise be drafted. This will tend to discourage war by depriving it of its profits.

That answers that question.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. WAINWRIGHT. Therefore the inference, expressed on this floor by the gentleman from Alabama that it was only the Republican Party which had indorsed this measure, is hardly correct. I have always understood the Democratic Party is committed to it by that statement as much as the Republican Party.

Mr. JOHNSON of South Dakota. Why, certainly.

Mr. McCLINTIC of Oklahoma. But not to this bill.

Mr. JOHNSON of South Dakota. To the principle.

Now, as a matter of fact, President Harding indorsed it. I was one of the group that asked the then chairman of the Republican National Committee to present this to the President before he was inaugurated, and I had something to do with that indorsement.

There were members of the American expeditionary forces that took this proposition to the Democratic National Convention of 1924, prominent legionnaires, and they secured this indorsement; and you gentlemen on the Democratic side of the House are committed to the legislation exactly as we on the Republican side are committed. But I do not want to bring politics into it. The object of this legislation is not political; it is to see that we have the right sort of laws under which to function, if, or when we again engage in a conflict.

Mr. CONNERY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will always yield to my friend the gentleman from Massachusetts.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. THURSTON. Mr. Chairman, I yield the gentleman one minute more.

Mr. CONNERY. On account of the general principle which I know the gentleman is following, I would like to go along with him, but I have always had the impression from labor throughout the country that they feel if any legislation of this sort or along the lines of the bill of the gentleman from South Dakota were passed, when war comes along and it becomes a matter of administration, labor will be conscripted and capital will not be conscripted.

Mr. JOHNSON of South Dakota. I would say to the gentleman that some of the original talk about these bills did not have in mind the statement, "In the event of a declaration of war by the Congress," and without that declaration in the law, labor would have a right to be afraid, because some Attorney General or some President might call out the militia in a general strike, but this proposed legislation is so limited that it must be a declaration of war by this body, and I do not think that labor should be afraid of that situation. Labor does not want them to do what was done in the last war—have men working in the shipyards at \$25 a day.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. SPEAKS. Mr. Chairman, I ask that the gentleman be given one additional minute to answer a question.

Mr. THURSTON. I will yield to the gentleman one minute more.

Mr. SPEAKS. For the purpose of throwing additional light upon the subject, I call attention to the hearings held on this proposition before the House Military Committee three or four years ago. Mr. Spafford, national commander of the American Legion, appeared before the committee for the purpose of presenting the views of his organization upon the question of conscription. I quote the following from the hearings:

Mr. JAMES. How are you going to draft capital under your bill?

Mr. SPAFFORD. You can not draft capital; you know that, sir.

Mr. GARRETT. Why?

Mr. SPAFFORD. The Constitution of the United States says that you can not take a man's property without just compensation. \* \* \* To draft capital and take a man's property would be making us into a United States of soviet America instead of the United States of America.

Mr. SPEAKS. You can not take his property, but you can take his life?

Mr. SPAFFORD. Yes, sir; I think everybody recognizes that.

Mr. QUIN. What about the idea of conscripting labor?

Mr. SPAFFORD. You could not do that. You can not conscript labor under our Constitution. You can not make a man work for a private master against his will.

Mr. QUIN. So you would not attempt under this bill, according to your idea, to conscript or draft either capital or labor?

Mr. SPAFFORD. It is unconstitutional; it can not be done. This is my interpretation of the Constitution, and I believe everybody present would interpret it the same way.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. POUL. Mr. Chairman, I yield 15 minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman, this little insignificant resolution in appearance is a snake brought out here in decoy language. Every man on this floor, every woman on this floor, understands the Constitution of the United States. Each of you took a solemn oath to obey that Constitution. Every one of us in his heart, in his mind, and in his intellect, knows that it is just tomfoolery to talk about fooling with the Constitution and conscripting any man's property or his labor in time of peace or war.

Now, why come forth with this soft, asserting foolish resolution for a commission. I am getting sick and tired of that word "commission." [Laughter.]

This commission is to be composed of 4 sensible Members of this House, 4 sensible Senators, the Cabinet officers, and 5 outsiders. We do not know where the outsiders are going to be or who they are going to be. I guess that the president of the Pennsylvania Railroad system will be one, and another will be from some other railroad system, one will be J. P. Morgan, another John D. Rockefeller, and another will be one of the Scheringens, of Ohio. [Laughter.]

You understand the influences that are back behind this resolution, pretending to conscript capital and labor, in reality is to put labor in bondage in time of war for the paltry sum of a soldier's pay. That is the real intent and the motive of the powers that be.

Every man that reads this language knows that no commission on earth can change the Constitution. If they are honest about it, I will tell you what they can do. Every one of you listening to me knows that this is the only existing thing they can do.

There is already pending in the United States Congress an amendment to the Constitution which says:

Congress shall have the power in time of war to take private property for public uses and purposes of national defense—to fix the compensation for the same, or to take private property without compensation, by declaring the same to be necessary for the purpose of national defense.

Everyone knows that that is the only thing that can be considered, and yet, they come here and talk about this foolish resolution, and go out and parade it over the country to fool somebody. That is all on earth that this resolution is for. Everyone knows that it can not do any good. I would not stultify myself, I will say to the gentleman from Dakota, to come up here and tell you, knowing that it is not going to do any good, that I would vote for it. The idea of such a thing! The idea of my good friend talking like that. He has been before the Military Committee on his bill. This man Spafford, who was at the head of the Legion, testified before that committee, and when we put the question to him as to whether he did not know that they could not do this thing without an amendment to the Constitution of the United States, he said that he knew that. Yet he was before that committee demagoguing, and he testified before that committee that he knew it could not be done, because the Constitution stood in the way. Yet they come forward and expect a Representative in Congress to stultify himself. For myself, this Capitol can fall down before I am going to violate the Constitution of the United States, with my eyes open.

And another thing. The whole Capitol and everything in it can fall down before I am going to do violence to the poor men of this Republic who have to work for their living, and the poor women who have to tote the burdens and bear the children of this Republic. The poor man on the farm and the poor woman in the factory, the poor laborers in all walks of life, need to have the Constitution of the United States protect them in their rights. Yet we are called upon here by a respectable committee to do violence to their rights! We are called on here to say that through subterfuge and stealth we can go out and

take away all they have, that we can take their liberty, their labor, their all.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. QUIN. No; I have not the time. The time has come when the impulses of true patriotism should move in the hearts of every man and woman in this House. Some think that under this resolution we can go out and commit the wrongs and outrages of Soviet Russia. The very things that they do over there are to go out and conscript in time of peace and in time of war the property and all of the labor of the country. Is it possible that this great Republic which is founded by men who went out and risked their lives for us, who died on the battle fields, shall come to such a state? Our Constitution safeguards the rights of the humble and of the poor, the rich and the high and the low alike. Yet we are called on in peace times, in this stealthy manner, to set a trap and in time of war conscript labor.

Do you know that that would be a dangerous thing to do even if we had the right to do it? Things would be so set that a tyrannical President who might happen to occupy the White House could inveigle us into a war and go out and take the small farms of the country and the factories of the country and the sawmills, all private property, conscript the labor of every man, with the United States Army back of him. The power you suggest here placed in the hands of a dangerous man could take away our liberties.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. QUIN. I have not the time.

It is, indeed, unfortunate that at this time when we have a commission abroad in order to talk about disarmament, about cutting down armed forces on sea and land, we should come up with this nefarious scheme in order to go out and have the right to lay the powerful hand of the Government on every dollar's worth of private property in the United States and on the labor of every poor man and woman of the Republic. Does that seem sound in the face of our great pretense of sending this commission with a great hurrah over to a foreign country in order to stop war? I am not one of that belief who thinks that war is going to come to-morrow or next month. If we attend to our own business here in the United States, we will keep out of war. If this great Government remains true to its birthright and protects the integrity of that flag in the domain of this Republic, on the high seas and everywhere else, we are not going to have any war. It is when we violate the fundamentals of the Constitution, when we violate the morals of a great nation, when we violate the underlying principles of the Holy Bible that there is danger of our wandering into the field of war. [Applause.] If you want to have peace, have it under the Constitution, and if we must have war, then have that war under the Constitution.

Some gentlemen have said that we do not get any property in time of war. I was on the Military Affairs Committee during all of the last war. We took property all the way from the Mexican line clear up to Canada, from the Atlantic Ocean to the Gulf of Mexico. Of course, we had to pay for it, and we ought to pay for it. Do you think it is right to take a man's property for any purpose and not pay for it? Under the eminent domain provision of the Constitution you must pay for private property when you take it for public use, and in order to conduct a war we have the right to commandeer the property. Then some people said that others made too much profit. Why, we had taxation as high as 88 per cent of the net profits before that was closed. I am for removing profits in war time, but it must be done within the scope of the Constitution.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. QUIN. I have not the time, brother, though I would love to. Our Republic conducted that war, and we took nearly all profits of the rich, in taxes, and we came out of the war owing \$26,000,000,000. We conscripted boys almost from the age of 18 years up to men of 45 years. We have just started the great pension system. We are paying now what will seem paltry sums of money in days to come, hundreds of millions of dollars a year for that war. Wait until we have gone 30 years more. The old pension system you had will never be anything to compare with it. Yet these people come along and talk as if they can fix it up so that you can have everything and conduct the war without costing anything. War is costly and always will be.

We must pay and pay heavily if we are going into any war, and we go into it with our eyes open, realizing the cost, realizing the hazards, realizing that there is great discomfort, and

any time this great Republic needs to lay hands on private individuals under the Constitution in time of war it can do it. But we can not under that Constitution take a laboring man and put him on a farm or in a factory or on a railroad on the pay of a private soldier. That is what this resolution means to do. That is the ultimate intent of the people who inspired it. Their intent, ab initio, is to have every person who toils for his living conscripted all at once into the United States Army. Labor will be forced to perform the regular work in private industry for the pay of a private soldier. When you vote for this resolution you will vote that very thing. You will say, "Well, Mr. Laboring Man, I voted for that, but I knew it could not amount to anything." Do not be a hypocrite. By the eternals, let us be honest and vote this thing down like men of true faith and true character. [Applause.] Place in this resolution an amendment exempting labor from consideration by the commission, and let us know you are after capital. I am willing to inquire about profits and stop all profiteering with a constitutional amendment.

Mr. SNELL. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LaGuardia].

Mr. LaGuardia. Mr. Chairman, this bill presents a very interesting question on eugenics. It is known as the Snell-Wainwright-McSwain-Johnson resolution; and no offspring with such a multitudinous and variety of fathers can be a wholesome child. [Laughter.] It is quite appropriate; and I think the distinguished chairman of the Committee on Rules intentionally called the bill up to-day on April fool day, because, unless this bill is radically amended, it is an April fool to every member of the American Legion and to organized labor.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield? Has the gentleman overlooked Mr. Grundy?

Mr. LaGuardia. It does not mean what it says, and it does not say what it means. The present commander of the American Legion, Mr. Bodenhamer, speaking before the annual convention of the American Federation of Labor in Toronto on October 7, 1929, among other things, stated:

Now, my friends, I am not presenting to you to-day for your consideration any definite bill relative to such a selective service act. I am, however, asking your patient and careful consideration of the principle involved, which underlies what some of us refer to as the universal draft. You and I must admit that the burden of war is the Nation's burden. It should, therefore, fall equally upon all men and upon all property. There should be no profit in war. War is a national sacrifice, and every citizen and the property of every citizen should join in that sacrifice.

There is no doubt that the taking of property as well as drafting of man power and elimination of all war profits are contemplated when the ex-service man talks about a universal draft law.

You ask any of the humble members of the American Legion, you ask any of the doughboys who did the fighting, what they think we are considering to-day, and they will tell you "A universal draft bill that will take the profits out of war, a bill that will take a man's property as it does another man's life"; and yet there is not a thing in this bill that will do that. It is honest in its frank statement that it will attempt to try to seek to minimize the profits of war. There is not a Member on the floor of this House who will state that under the provisions of this bill the commission could recommend a law that would seize property, or that the commission could recommend a constitutional amendment to permit the taking of property in time of war. If a constitutional amendment is necessary to take the profits out of war, let us direct the commission to study that part of the problem. Unless such an amendment is placed in this resolution I would not vote for it.

Gentlemen, something is wrong in a system which permits the Government to reach out in one family, take a boy, put a uniform on him, and send him to fight and die, and to reach out to another family and hand it a cost-plus contract to make profits out of a war.

Mr. SNELL. Mr. Chairman, will the gentleman yield there?

Mr. LaGuardia. Yes.

Mr. SNELL. As a matter of fact, the only thing that this resolution is trying to do is to study the question and see if we can accomplish what we are trying to do. The intention of this resolution is to study and see if we can do what you want to have done.

Mr. LaGuardia. Let me say to the distinguished gentleman from New York that the boys in the trenches for several months did a lot of studying and thinking, and it is not necessary to be a great constitutional lawyer to know that we must go to the root of this problem. If our Constitution protects one citizen's property and dollars but renders another liable to military serv-

ice which may cost him his life, let us prepare now to change the Constitution.

What will be the result of this resolution? You will come in and recommend the machinery and a law drawn to conscript man power in an emergency and leave conditions as they were during the last war, where bankers and manufacturers made millions.

Gentlemen, I have had some experience in seeing a law of this kind put into effect in times of peace under the guise of an emergency. In Austria-Hungary there was a great railroad strike, tying up the whole railroad system, and Franz Josef, the then Emperor of Austria and Apostolic King of Hungary, conscripted every railroad man, put a uniform on them, and militarized the railroads. Do you want to imitate the policy of the Hapsburg dynasty in the United States?

The gentleman from Mississippi [Mr. QUIN] stated that we passed an 88 per cent surtax in the war. That is true. Notwithstanding, there were huge and many fortunes made in the last war. Raincoat contracts, cantonnement contracts, munition contracts, real estate, airplanes, money, money, money! Fortunes were made out of every war. You may have had an 88 per cent tax in the last bracket of surtax, but you had a 100 per cent tax on the doughboys who did not come back.

What a national paradox we present to the world to-day! A commission in London, struggling against overwhelming obstacles, assuming leadership in the world movement for peace, setting a good example as a powerful nation, and willing to bring down armaments in furtherance of permanent peace, and at the same time the American House of Representatives seeking to create a commission to study ways and means to conscript men in the event of war. If it is only men that are to be drafted and not property there is no necessity of this resolution. A draft law was passed for the last war. Seeing the lady from California [Mrs. KAHN], I remember your distinguished husband. He was on the Committee on Military Affairs. In 1917, during my first term in the House, when some of the Members did not grasp the necessity of sending a million men across the sea, Julius Kahn overnight came in with a minority report, and the House passed the draft law.

Why, in 1930, when we are so fortunately situated, and when we are in a position to maintain this leadership for peace, are we starting now to form a commission to be misunderstood all over the world, that will result in the drafting of man power and labor and continue to protect the war profiteer? In the face of the speech made by the commander of the American Legion, Mr. Bodenhamer, at the meeting of the American Federation of Labor at Toronto, the executive council recommended against this resolution.

Let me read the reports of the federation on this question. It was put before the convention, and the report against the bill was unanimously adopted. If there was one proposition that came before the American Federation of Labor that they were unanimous on, it was the opposition to this resolution, because labor knows that they will carry the burden, and you will not stop your war profiteers by this legislation.

The executive council of the federation in disapproving the plan of conscription closes its report with the terse inquiry: "Why should there be any conscription?"

The report which was unanimously adopted by the convention of the American Federation of Labor at the last annual convention is as follows:

[Report of the committee on resolutions, at Toronto, Canada, October 16, 1929]

#### NATIONAL LEGISLATION—CONSCRIPTION

In the section of its report subtitled "conscription," page 82, the executive council reports at some length on the subject of pending bills providing for both military and industrial conscription in times of so-called "national emergencies."

Your committee heartily indorses the firm stand taken by the executive council against the enactment of the proposed conscription legislation. The action of the council in this respect is in full accord with the attitude of the American Federation of Labor as clearly expressed by previous conventions.

In the light of the world-wide agreement for peace, as represented by the multilateral treaty for the renunciation of war and the growing demand for the reduction of armaments, the people of America can well afford to turn their thoughts and direct their energies toward the promotion of peace. The United States now occupies a leading position in the movement to avoid war as a means of settling disputes between nations. It is therefore essential as an evidence of good faith that the American people shall, at least for the present, refrain from warlike preparations in the enactment of legislation. Even though war might become inevitable, the sort of conscription proposals now pending would not add to the Nation's strength. Conscribed labor is necessarily

forced labor, which, as is proved by the experience of the ages, is never as efficient as voluntary labor. It is practically certain that under industrial conscription the trade-unions would be either dissolved or prevented from functioning in any effective manner, with the result that, regardless of their relations to and with the Government during the war, the workers would be placed at the mercy of the employers immediately at the conclusion of the war. Industrial conscription, therefore, would be in the interests of the most reactionary employing interests and not in the interests of the Nation.

Your committee recommends that the report of the executive council on this subject be approved, and further recommends that the American Federation of Labor now again reiterate its opposition to all legislation proposing conscription.

The report of the committee was unanimously adopted.

Mr. CONNERY. Will the gentleman yield?

Mr. LA GUARDIA. I yield.

Mr. CONNERY. I would like to ask the gentleman right there if we did not, right after the war have the experience of the Mellon plan soldiers' bonus, and we received propaganda from all over the United States, "We are in favor of the Mellon plan, but do not pay the soldiers' bonus."

Mr. LA GUARDIA. Yes; and we were told that we would be short \$300,000,000 that year as a scare, when as a matter of fact, we had a surplus of \$300,000,000.

Mr. CONNERY. And we will get the same thing if any commission starts investigating. Labor will be conscripted, but not capital.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LA GUARDIA. May I have five more minutes to answer the gentleman?

Mr. SNELL. I yield five additional minutes to the gentleman from New York [Mr. LA GUARDIA].

Mr. LA GUARDIA. I will tell you what will happen if we get into another war. You and I, Mr. CONNERY, will go, and some of these constitutional lawyers will stay home and tell us why the Government can not conscript money and property.

Mr. CONNERY. If the gentleman will allow me, my impression is that if another war comes, I would have a strong desire to stand up on the floor of the House of Representatives and say, "You go, and we will stay, and when you come back we will tell you, 'You must not commercialize your patriotism when you ask for a soldier's bonus.'"

Mr. SIROVICH. Will the gentleman yield for a question?

Mr. LA GUARDIA. I yield.

Mr. SIROVICH. Will the gentleman explain why the American Federation of Labor and the American Legion are diametrically opposed on this proposition?

Mr. LA GUARDIA. The American Legion—speaking now of the rank and file, the boys that the gentleman and I know—are under a misapprehension of what we are doing. They sincerely believe that we are trying to take the profits out of war, and the American Federation of Labor is against this proposition because they know that it will not be done. They have got good common sense, and they know they will get the worst of it, as they always do. If the resolution is amended so as to specifically provide for a study of the method, even by constitutional amendment, whereby property can be taken, I think it would be otherwise.

This country was impressed when President Harding, at the grave of the Unknown Soldier, pledged himself and the American people to a policy that would take the profits out of war.

In face of that, in face of the pledges made by both parties, a resolution is brought in here to create a commission to recommend a law to conscript men. Oh, it is very definite in its provisions—that we draft a bill to conscript the man power—and then it says, "To minimize the profits of war." We want to take the profits out of war entirely. Even though profits are minimized, millions will be made by some while others die in service.

Gentlemen, I say this resolution does not represent the views of the men who had months and months of time in the trenches to think this over. Either provide for a study to draft property or the resolution will be defeated.

Mr. SNELL. Will the gentleman yield?

Mr. LA GUARDIA. I yield.

Mr. SNELL. Will the gentleman state where there is a word in this bill which says anything about conscripting man power? The gentleman said it was definitely in this bill that we were going to conscript man power. Will the gentleman tell me where it is?

Mr. LA GUARDIA. If not, then what is the purpose of the bill?

Mr. SNELL. I have tried to tell the gentleman several times, and if there is one man on the floor of this House who should be most enthusiastic in support of this bill for this general propo-

sition to study the question and see if we can do just what the gentleman is saying ought to be done, it is the gentleman from New York [Mr. LA GUARDIA], if the gentleman believes what he has stated to-day. I have never been a very earnest supporter of this bill until now. I am beginning to think it is all right. The American Legion spent a great deal of time on this, and they feel that it is an important measure and we should give this the study that they are asking for, and the gentleman [Mr. LA GUARDIA], who has been one of their supporters in the House and has always been in favor of everything they wanted, if he believes what he stated here to-day, should support this resolution.

Mr. LA GUARDIA. The fact that I am not to-day for what they want shows that I can do my own thinking in this instance, as on every bill that comes before us.

Mr. SNELL. But the gentleman has not answered my question.

Mr. LA GUARDIA. If the gentleman from New York [Mr. SNELL] wishes to support everything that the American Legion favors there are a couple of good bills right now for the care of veterans which the American Legion is supporting, and I invite the cooperation of the gentleman on those bills.

Mr. SNELL. If the gentleman from New York [Mr. LA GUARDIA] had been on the floor yesterday he would have learned that those bills will be considered in the next few days. There has been no opposition to the bill so far as the present gentleman from New York is concerned.

Mr. LA GUARDIA. That is encouraging.

Mr. CONNERY. May I ask the gentleman, the distinguished chairman of the Committee on Rules, through the gentleman from New York [Mr. LA GUARDIA], what his position is about paying the soldiers' bonus in cash now?

Mr. SNELL. I am opposed to it, as every friend of the Legion ought to be.

Mr. CONNERY. That is along the line of the old Mellon plan.

Mr. SNELL. Well, the gentleman got an answer, did he not?

Mr. LA GUARDIA. In closing I will say that this resolution should be amended as I have indicated. Let us be fair about this. We are either going to equalize the burdens of war or we are not. We are now confronted with a constitutional obstacle, and we should remove that obstacle first and then we will know that we will equalize the burdens of war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. POUL. I yield 15 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, those of us who have been receiving requests from members of the American Legion to vote for the Reed-Wainwright resolution should not be misled into voting for this Snell-Grundy resolution on the theory that it attempts to do exactly what the Wainwright-Reed resolution proposes to do.

I do not agree with a number of Members of this House that we should prepare for a war of aggression. I believe that our efforts in preparing for war should be based solely upon the theory that our Nation will engage in war if necessary for defensive purposes in our own country, and not a war of aggression.

When the merchant marine act was before Congress in 1928, one argument that was used more than any other was the fact that the ships built by private individuals with Government money, which was granted under the act, could be used to transport our boys across the sea in the event of another war. I do not like this argument. It occurs to me that the argument was used so much and there was so much money given by the Government for the building of these ships that our foreign friends may consider this move as an effort on the part of the United States Government to prepare for war in a different way from building battleships and submarines.

The Government has given and is giving billions of dollars to build a merchant marine. Under the pretense of demanding some service to be rendered by steamship companies, our Government is giving these companies as much as \$7,000 to transport a pound of letters, a service that is not worth \$1.

A more inopportune time could not be chosen for the consideration of such a resolution as we have before us to-day. This is a time when the United States is trying to make permanent peace terms with the civilized nations of the world. This resolution says that a commission shall be appointed to study the policies to be pursued in the event of war. The time would not be inopportune to submit a proposal to the several States of this Nation of an amendment to the United States Constitution which would allow Congress to draft private property, such as manufacture ammunition, firearms, and battle-ships, without compensation during a national emergency. Such a proposal would be in the interest of peace.

It is thought that if we enact legislation in time of peace that will absolutely prevent anyone from making a profit on his wealth during war that it will render the possibility of war less likely. In other words, it is thought that the enormous and excessive profits that one might make from the large capital or wealth that he possesses will induce such a person to be favorably inclined to our country entering a war when otherwise he would not. It has never been claimed that one would be favorably inclined to our country entering a war for the purpose of receiving a high wage or salary for personal services. Wage earners do not try to break up peace conferences. No one believes that there is a possibility of any such inducement in the minds or hearts of the people of the United States. Therefore there is no necessity for a law to draft man power or labor, but there is a necessity to provide for a law in time of peace that the capital and wealth of our Nation shall not profit in the event of a war.

Article V of the amendments to the Federal Constitution provides:

Nor shall private property be taken for public use without just compensation.

Man power can be drafted in the event of a war under the present Constitution. Property or wealth can not be drafted or the profits thereof minimized to the extent of service without pay without an amendment to the Constitution of the United States.

There is not a lawyer or a person who is a Member of this House who does not know that man power can be drafted without a constitutional amendment, but that property and wealth can not be drafted to equalize the burdens of war without a constitutional amendment permitting it. Therefore, nothing can be done by Congress to take all the evils that existed during the World War in the form of excessive and extortionate profits out of war until the provisions of the Constitution have been amended to permit it. The Snell resolution, H. J. Res. 251, provides that a commission shall be created to study and consider the feasibility of equalizing the burdens and minimize the profits of war together with a study of policies to be pursued in the event of war, so as to empower the President to immediately mobilize all the resources of the country. Notice that it is to minimize the "profits of war"! If a bill should pass Congress and be enacted into a law providing that man power and property should be drafted in the event of war, in compliance with a report of this commission, it will be known to every person in this House that such a law will be constitutional as to man power and unconstitutional as to property.

I believe that this resolution will lead this meritorious proposition of drafting wealth in time of war down with needless and useless amendments that will cause its defeat.

The American Legion of the United States has since its first caucus in 1919 advocated that laws be passed by Congress to take the profit out of war. It is possible for Congress to pass such legislation now affecting man power without a constitutional amendment.

It is absolutely impossible to pass such a law for property or wealth without amending article 5 of the United States Constitution, which says that private property shall not be taken without just compensation. The United States courts in construing what is just compensation have been very generous in granting liberal profits. It occurs to me that before Congress attempts to pass any universal draft act it should first get the Constitution of the United States amended, if the people desire it amended, in order that property may be drafted the same as man power.

The American Legion at its recent national convention at Louisville, Ky., passed a resolution indorsing the proposition of having a committee appointed for the purpose of making a careful and extensive study of universal draft legislation, and indorsed S. J. Res. 20 and H. J. Res. 41, or the Reed-Wainwright resolution introduced for that purpose. The Wainwright-Reed resolution provides that its object is to take the profit out of war and to require citizens to contribute to our Nation's success in war according to their several capacities and resources. The national commander of the American Legion has throughout the length and breadth of this country proclaimed the virtues of this legislation and asked the people of this Nation to ask that Congress pass it. Remember that resolution has for its purpose a way to take the profit out of war.

One day before H. J. Res. 251 is to come before the House for consideration we have been advised that it has been substituted for the Reed-Wainwright resolution. The two resolutions are as far apart as the poles.

Mr. SNELL. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. SNELL. I have talked this over with the commander of the American Legion. He said he is entirely satisfied with the wording of the present resolution, and I took his word for it.

Mr. PATMAN. Does the gentleman mean to say that the present national commander indorses this Snell resolution?

Mr. SNELL. I read it over to him in my office.

Mr. PATMAN. I want to say that the Snell-Grundy resolution and the Wainwright-Reed resolution are just as far apart as the poles. The Wainwright-Reed resolution states, in substance, that they want something that will cause the profits to be taken out of war. That is the Wainwright-Reed resolution and that is the resolution which the American Legion indorsed at the Louisville convention last August. But this is an entirely different resolution, and it has for its purpose not the taking of profits out of war but the purpose of minimizing the profits, and the only way you can minimize them is to grant the just compensation provided by the Constitution of the United States. It will be effective as to man power, but will be unconstitutional as to property.

Mr. SNELL. Will the gentleman yield further?

Mr. PATMAN. I yield.

Mr. SNELL. Would the gentleman be for the resolution if we changed the wording and took out the word "minimize"?

Mr. PATMAN. I will be for it if you will amend the resolution so the commission will make a study of preparing an amendment to the Constitution which will permit the drafting of capital and wealth during war time, in order that they may not make a profit out of our country's misery and misfortune.

Mr. SNELL. Permit me to state to the gentleman that there is no limit to the study the commission can make. It is not intended to limit that study in any respect. The commission may recommend an amendment to the Constitution, and if there is any amendment which the gentleman can suggest that will strengthen the resolution I shall be glad to put it in.

Mr. PATMAN. I intend to propose an amendment and I hope the gentleman will agree to it. The resolution adopted by the American Legion and discussed by the national commander of the American Legion, says that Congress shall provide a way to take the profits out of war. This Snell resolution (H. J. Res. 41) provides that this commission shall consider the feasibility of "minimizing the profits of war." Under the Constitution, Article 5 of the amendments, profits can not be minimized below what would be termed as just compensation for taking private property. Therefore, any report such a proposed commission might make and any law enacted in pursuance thereof would be effective as to man power and unconstitutional as to property.

Mr. CONNERY. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. CONNERY. Do I understand it is the gentleman's idea that the Military Affairs Committee of the House of Representatives should be able to bring in a constitutional amendment, if necessary, and that it could bring in the representatives of labor, the soldiers, and everybody else and get this information just as well as the commission?

Mr. PATMAN. The gentleman is correct.

The only consideration that Congress should give to this subject at this time is the question of amending the Constitution of the United States in order that property might be drafted and used in the event of war without profit to its owner. When that is done then a universal draft act might be considered, but should not be considered before that time.

December 9, 1929, I introduced House Joint Resolution 151, which proposed an amendment to the Constitution of the United States with reference to the taking of private property for public use in time of war. In support of the resolution, I gave out an interview which was published in a number of newspapers of the Nation, as follows:

WASHINGTON, D. C., December 9.—A joint resolution will to-day be introduced in Congress by Representative PATMAN, of Texas, proposing an amendment to the Constitution of the United States with reference to the taking of private property for public use during the time of war. The proposal, if passed by Congress, must be ratified by the legislatures of three-fourths of the several States before becoming effective.

"The object of this amendment to the Constitution," said Mr. PATMAN, "is to permit Congress to pass laws taking the profit out of war. I do not believe in war; it would be a sad day to us to know that we are rearing and educating our boys to be used as cannon fodder to fight an unavoidable war. Any kind of legislation that will outlaw war I am for, but if war comes anyway I am in favor of any kind of legislation that will have a tendency to bring it to a close. If we have legislation in advance against the making of profit of any concern, war will be less likely; the money barons and steel magnates will join us in using their influence in preventing war. United States Steel Corporation during the year 1914 made \$23,000,000 profit; during the year 1917, the first year of the World War, it made net profits of more than \$477,000,000 or \$1,500,000 a day or approximately \$200,000 an hour. There was no financial incentive for that concern to want war brought to a close. My opinion is that legislation should provide that a concern like the United

States Steel Corporation should be required to escheat to the Government for the prosecution of war all profits.

"The United States Steel Corporation is just one concern of the 37 leading companies in the United States that made so much money on account of its country's misfortune and from human misery and suffering.

"The American Legion can not carry into execution its plans to take the profit out of war until this amendment to the Constitution is adopted. Under our present Constitution man power can be drafted without profits to the men who do the fighting as was done during the recent war, but the Constitution provides that just compensation must be paid to private property or capital. The Federal courts in construing this provision have been very liberal and oftentimes allow what is thought to be excessive profits upon fictitious and watered stocks and bonds.

"If my amendment is adopted, then capital can be drafted the same as man power in the event of war.

"The American Legion's recent proposed bill provides that the President may draft into service the man power of the country between certain ages in the event of war or when the President shall judge the same to be imminent. I believe this bill should be restricted to permit the Executive to exercise such prerogative only in the event of war and that the language 'or when the President shall judge the same to be imminent' should be stricken out.

"Hon. Edward Spafford, former national commander of the American Legion, admitted before a congressional committee that under the present Constitution that capital can not be drafted. Mr. Spafford is correct, hence I am proposing this amendment to the Constitution.

"If we were to have another war and wealth would be concentrated in the hands of a few as rapidly as the profits of the last war was so concentrated, the wealth of our Nation would then be in the hands and under the control of a very few families in the United States. There were more than 23,000 millionaires made during the war from excessive war profits. As a result less than 12 per cent of our people own more than 90 per cent of the \$355,000,000,000 of our national wealth. Furthermore, by reason of such condition the number of people acquiring more than \$1,000,000 each year is rapidly increasing. A few people are acquiring wealth at the rate of \$10,000,000 a year, doubtless as a result of the enormous assets accumulated by them during the recent World War.

"The activities of shipbuilders in spending a large sum of money to break up a recent peace conference is proof of what will be done by them for anticipated profits. If they will spend money to destroy our chance for world peace, they will get us in a war for the purpose of making large profits."

We should carefully consider before enacting a law that would prohibit men and women from making a good wage and a good salary during war. Many patriotic people contend that individual initiative should be encouraged by the reward of good wages for personal services in order that the men who actually fight the battles might be properly backed up by an active, energetic civilian population. These people contend that to deprive the civilian population of a reasonable wage or even a profit for personal services during a war would be to encourage in many cases laziness and lack of energy and initiative. The men who fight and their dependents should be liberally and generously provided for at the expense of property and wealth that is protected and benefited by reason of their sacrifices to the cause of their country.

I repeat, only the question of amending the Constitution of the United States so that property or capital can be drafted in the event of war should be considered at this time. In other words, we should consider amending our Constitution so that property or wealth should not be permitted to enhance in value during a war, but so much of it as is necessary should be used to properly encourage our soldiers and civilian population to render the best possible individual service during a war.

It would be just as reasonable to ask that the Constitution of the United States be amended so that man power could not be drafted in the event of war as it is to refuse to endeavor to amend the Constitution so that wealth can be drafted. Because under the present Constitution man power can be drafted, but wealth is guaranteed a reasonable profit, which oftentimes amounts to a higher return on watered stocks and bonds.

I have always thought that the object of the universal draft act was to prevent huge fortunes to be made by thousands of millionaires by reason of our country's misfortune. This legislation in its present form has no tendency to cure that evil. On the other hand, it is calculated to reduce labor, including the soldiers and civilian population to wages tantamount to poverty or legalized slavery and to permit capital and huge wealth to combine and make many times more profits than has ever been made in a previous war.

I know the argument will be made here to-day that you can use the taxing power to keep down wealth, but that is not the effective way to do it, because 10 years after the last war we see the United States Steel Corporation getting a refund on the

amount of taxes it paid during the World War, some claiming the refunds amounting to almost \$100,000,000. Besides that, remember that those tax returns are secret. There is no person on earth except the Secretary of the Treasury or some one under his direction who can examine those returns, and he has the right to make any refund he wants to make. So if you go on the theory that the taxing power is sufficient, you are believing in our man power serving without profit, open and above board, and the big wealth and corporations of our Nation, that made such huge profits during the last war, can make a secret return to an agency that will not disclose the return, and with the right to make any refund they desire to make. One will be open service for small pay and the other will be highly paid for a secret return. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POU. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. McSWAIN], and I express the hope that the gentleman from New York [Mr. SNELL] can supplement it with five minutes.

Mr. SNELL. I will yield the gentleman five minutes.

The CHAIRMAN. The gentleman from South Carolina is recognized for 15 minutes.

Mr. WAINWRIGHT. May I express the hope that my colleague will yield to him at least as much time as was yielded to me.

Mr. SNELL. The gentleman from New York would yield if he had it.

Mr. WAINWRIGHT. I trust the gentleman will be as liberal as he can with the gentleman from South Carolina.

Mr. SNELL. I have yielded all the time the gentleman has asked for.

Mr. McSWAIN. Mr. Chairman, ladies and gentlemen of the committee, I am intensely gratified that questions relating to the national defense are not partisan. I have been on the Committee on Military Affairs for some seven or eight years and never has a shadow of partisan feeling or party issues come across the threshold of that committee. On this particular question Democrats can not consistently be urged to vote in opposition to this resolution. While it is true the party platform of 1928 contained no declaration, the platform of 1924 did contain this language:

In the event of war in which the man power of the Nation is drafted, all other resources should likewise be drafted. This will tend to discourage war by depriving it of its profits.

That was the theory of the Democratic Party. In the same campaign the Republican Party declared in substance for the same principle. Now, why did both party platforms contain this declaration? It was because when the men—2,000,000 of them—who had been fighting on the other side and enduring agonies indescribable both going to and coming from the scene of battle, as well as upon that scene, discovered that something like 22,000 new millionaires had been made during the war period indignation rose within their breasts. When their fathers and mothers and brothers and sisters realized what had happened, how unequally and unfairly the burdens of war had been distributed, a cry went up from every quarter that in the event of another war the stay at homes and slackers shall not be permitted to grow rich out of the country's misfortune.

Now, you may say what you please about the American Legion. It is composed of patriotic men. It is true I do not take orders from it. The American Legion was back of the bill of my distinguished friend from South Dakota, but I feared that it contained some of the latent dangers that some of the gentlemen who have spoken in opposition to this resolution have expressed, and for that reason I fought it twice on this floor; but I say to you that the feeling that was in the hearts of the boys when they came back and in the hearts of their families was a righteous feeling. Even those who have spoken in opposition to this resolution here to-day have expressed the same feeling of indignation.

Twelve years have passed since demobilization. The American Legion is made up of 800,000 ex-service men, every one of whom is as free as every other one to express his feelings in their meetings. There is no rank or caste in the American Legion.

The commander is addressed by every member of that organization as comrade, and he addresses every member of the organization as comrade. Everyone is free to express himself, and the American Legion through these 12 years has kept the fires of resolution upon this question burning and but for their insistence the fires might have died out. We might have forgotten, amid the multitude of occupations that peace affords, the high and solemn resolutions we made when the boys came back that this thing should not happen again. We did make this resolution. Was it not a high and holy one? It was. Now,

what are we going to do about it? Are we not going to make a start? Are we not going to do something?

It has been said here that the secret purpose is in some way to enslave the laboring man and indirectly enrich capital.

In 1922, serving my first term in this House, and not being a member of the Committee on Military Affairs, I still had this feeling burning hot in my breast. I did not see anything being done about it, and so I sat down myself, without taking orders from anybody, and framed what is now said to be the basis of the resolution before us to-day.

I deny that there is any man in this House or anywhere else who is a better friend to the common man than I am. I do not say I am a better friend than he is, but I deny that he has in his heart deeper devotion or greater loyalty to the interests of the masses of the people than I have.

I thought this was a good way to proceed. I may have been mistaken, but I am going to stand by the proposition. If it is amended here in a proper way, as has been suggested by the gentleman from Texas, so that the study shall be confined to a denial of all profits, I will vote for that amendment, and if the gentleman offers an amendment to the resolution to incorporate among the subjects that the commission shall study the question of whether a constitutional amendment is necessary, I will vote for that. I want the commission to have the entire subject before it.

Mr. CONNERY. Will the gentleman yield?

Mr. McSWAIN. Yes; I yield.

Mr. CONNERY. The gentleman is a member of the Committee on Military Affairs, is he not?

Mr. McSWAIN. Yes.

Mr. CONNERY. Does not the gentleman think the Committee on Military Affairs has the capability, the power, and the ability to bring to the floor of the House a constitutional amendment without having a commission to study the matter?

Mr. McSWAIN. All right; I will answer the gentleman.

Mr. CONNERY. I want to say that I have the highest respect for the gentleman who is now speaking; I know his sincerity, and I do not believe in getting any commission of Cabinet officers or anybody else, but I believe in taking the word of the gentleman's committee and having them bring in some proposed legislation.

Mr. McSWAIN. All right, gentlemen, that is a fair question and I am going to try to answer it fairly and sincerely.

I have been a member of that committee for seven or eight years. I suspect it has more bills before it than any other committee in this House with perhaps the exception of the Claims Committee. If you could see the printed calendar of that committee, with its eight or nine hundred bills, with Members all over this House pressing and urging us to have hearings and to consider their bills, you would see that we have no time to consider the fundamental and complex problems involved in this matter.

Now, I will tell you what was in my mind when I originally proposed this. If there is anything wrong about the Cabinet members being included, it was suggested by me. If there is anything wrong about having five outstanding civilians to advise us, I am responsible for making that suggestion.

Mr. WRIGHT. Will the gentleman yield?

Mr. McSWAIN. Certainly.

Mr. WRIGHT. Does not the gentleman recall that while his resolution was pending before the Committee on Military Affairs of the House several years ago that very extensive hearings were held on the bill?

Mr. McSWAIN. I recall it very well, because so deeply in earnest was I that with the authority of the chairman of the committee, John C. McKenzie, I conducted the hearings, and here are the hearings—254 pages of hearings.

We had before the committee men who had had direct contact with the problems during the war. We asked the then Secretary of Commerce, Herbert Hoover, to appear, and he did appear, and here is his testimony. I think we are obliged to say, as fair people, that he is a good business man and a patriotic citizen, and he said that he believed the profits could be taken out of war. He ought to know. He was chairman of the Food Conservation Commission.

Bernard M. Baruch, who was chairman of the War Industries Board, said he believed not only that the profits could be but that they ought to be taken out of war.

Gentlemen talk about the purpose of this legislation being secretly to inveigle labor into a conscription that will make them, you might say, war-time slaves. Mr. Baruch has said time and time again, in the magazine the World's Work, for which he prepared an article, in his lectures at the War College, and in his lectures on other occasions, that he felt that any effort to conscript labor for industrial purposes during war would be an economic mistake, and so do I. So far as I am

concerned, I would fight it as long as there was breath in my body. Why? Not so much for partisanship toward any class but for love of national defense, because I believe it would weaken our defense instead of strengthening it.

I believe that it would destroy the necessary initiative. So that, gentlemen, whether you amend this resolution or not, something ought to be done about it. Some action must be taken.

I doubt if there is a Member in this House, with one or two exceptions, who at some time in speaking to his constituents back home has not denounced the horrible condition of affairs that existed during the profiteering in time of war. And it is on your conscience and memory whether or not when you made that declaration the ex-service men did not give you approval by their handclapping and saying, "Yes; that is the thing that ought to be done; that is human justice, right and fair."

The gentleman from New York says that it is not fair to go into one family and take their boys, who by their labor were the mainstay of the family, and send them to the front, maybe to lose their lives or their health, and say to another family "Take a war contract and get rich."

The difference between me and the gentleman from New York is this, that I propose to try to do something about it; but he says, because he does not agree with my procedure, to let us do nothing. When are we going to do something? I think now is the time to do it, although we are a little late in starting.

Mr. SNELL. Will the gentleman yield?

Mr. McSWAIN. I yield.

Mr. SNELL. As far as I am concerned, I have no objection to the amendment that has been suggested, if it will make the resolution any stronger.

Mr. McSWAIN. I am only speaking for myself; I have not consulted with anybody about anything. I am speaking of what is in my heart and in my mind.

Now, for the able and ingenious gentleman from New York, let me call his attention to the constitutional amendment that he talks about. It is pending in the Senate. The first part of the resolution is this:

Congress shall have the power in time of war to take private property for public use and for purposes of national defense, and to fix compensation for the same.

We have got that power now. Is there a lawyer in the House or outside of it, who has ever read a line of constitutional law, who denies that we have the right in time of war to take private property if we pay for it?

All right; nobody denies that; they can not honestly, and I know they would not insincerely.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. SNELL. I will yield the gentleman five minutes more. [Applause.]

Mr. McSWAIN. I thank the gentleman. Here is that part of the proposed constitutional amendment that they say we need—that is, the right to take private property without compensation by declaring the same to be necessary for national defense.

Now, I say to the gentleman that I am not in favor of that. Why? Because you will not need to take all private property; they will take yours and leave mine; they will not pay you, while I am making an inordinate profit out of mine.

How are you going to solve it? The only solution, gentlemen, is to levy taxes heavy enough—and you have got the power to tax, the unlimited power to tax in both peace and war—to levy taxes heavy enough to pay the war debt while the war is being fought.

The war has got to be fought by the boys at that particular time; the boys can not say, "Oh, well, let us pass this fight on to the next generation."

Mr. PATMAN. Will the gentleman yield?

Mr. McSWAIN. I yield to the gentleman.

Mr. PATMAN. The gentleman will admit that the courage of the boys will be open and aboveboard, while the taxes assessed are secret?

Mr. McSWAIN. According to the present law, yes; but Congress has the power to impose open taxes, and it should exercise that power in peace and war. [Applause.]

Now, here the resolution says to take private property for war purposes without paying for it—to take your factory and leave mine, to take your land and leave mine, to take your money and leave mine. That is not fair. We will never agree to it. The thing to do is to levy taxes so high that the war will be paid for while it is being fought.

Do you gentlemen who were here during the period of the war realize what the statistics show about that? Under con-

ditins as they then were, with notorious escape of taxation being made, we raised 40 per cent of the money that the American forces spent. Do you know how they escaped taxes? They did it by increasing the salaries of officers in the corporations, so as to make the expenses of the corporation so great that the net profit would be small. One corporation, as is shown in this testimony here, paid five of its officers \$1,250,000 a year to hide war profits. I would make it so heavy that you will have money enough to pay the war while it is going on. As I say, the statistics show that we raised 40 per cent of the money that the American forces spent. We loaned \$10,000,000,000 to the Allies, but if we had not loaned it we would have raised out of taxes during the war nearly half of what we needed. If we sacrifice just a little more, if the folks at home have been willing to go down in their pockets and to deny themselves profits, if we had gone a little farther and paid the other 60 per cent, then when the boys came home, and found no swollen profits, with no war debt, everybody would be happy, with Americanism running high in the hearts of the fellows who stayed at home as well as in the hearts of the fellows who went abroad to defend their country's rights and its honor.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. McSWAIN. Yes.

Mr. PATTERSON. I am in favor of taking all of the profit out of war, but does not the Congress have the right and the power to do that now by taxation?

Mr. McSWAIN. Certainly.

Mr. PATTERSON. Then, why this commission?

Mr. McSWAIN. I thought I had explained that. In the rush and hurry of legislation here, in the multitude of matters before our committee, we have not the time to take the weeks and weeks of concentrated attention that ought to be given to legislation like this before we can have confidence in it. I know something about this. I studied it for years before I entered Congress. When I was under military authority and discipline I was studying it. Before I became a Member of this House and after discharge I was studying it. I think I know a little about constitutional law—perhaps not so much as my friends—but the more I think about it the more I realize that it is going to take undivided, unselfish concentration and attention for weeks and weeks and weeks to be able to balance, to be able to offset, to be able to reconcile the numerous conflicting considerations that arise in connection with the matter; I see the impossibility of our committee's doing it. This is the deepest thing that has ever been before this House; but the people of the country say that it ought to be solved, and if we do not start to do that then we are not worthy of being their Representatives. [Applause.]

Mr. POUL. Mr. Chairman, I yield four minutes to the gentleman from North Carolina [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, I am for this bill because my American Legion in North Carolina has asked me to vote for it. I do not need any other reason. I ask unanimous consent to extend my remarks and to use the balance of my time out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Chairman, before the gentleman proceeds, will he yield to me for a question?

Mr. ABERNETHY. Yes.

Mr. PATMAN. Does the gentleman realize that his soldier friends asked him to vote for the Reed-Wainwright resolution, which provides to take the profit out of war while this resolution—

Mr. ABERNETHY. Oh, the gentleman is only going to take up my time. Col. George K. Freeman, departmental commander of North Carolina, asked me to support this resolution. He has studied it and I have faith in him and I am going to support it, and that is all I have to say about it. [Applause.]

I got myself into a ridiculous situation the other night by accepting a place on the national spelling bee, and I want to take time enough to try to clear my skirts, if I can, because I have been hearing from home. [Laughter.]

Those of us of the House who took part in the spelling bee at the National Press Club on last Saturday night when we went down in defeat to the members of the Fourth Estate, have each been trying to find different alibis. Some have contended that the words upon which they were ruled out were spelled more than one way. The word which was my undoing was the word "liquefaction." I have tried in vain to find some alibi and until this good hour I have failed unless the letter from a prominent banker of my district which I herewith read, absolves me. It is as follows:

HON. CHARLES L. ABERNETHY,  
Washington, D. C.

THE BANK OF CLINTON,  
Clinton, N. C., March 30, 1930.

DEAR MR. ABERNETHY: The radio, which is, perhaps, the most wonderful invention of the wonderful age in which we live, is contributing possibly more than anything else to the happiness and intelligence of the people, or rather of that number of them which is right-minded and can be satisfied with what is clean and wholesome. I sometimes think the radio is about all we have in the secular world in the way of really decent entertainment outside of certain exclusive organizations to which the general public has no access. This may be a rather censorious expression, and not fully warranted by the facts. But I will, of course, be understood as referring to forms of amusement and the dishes that are often set before us on the stage and the screen.

I do not know when my household has enjoyed anything quite so much as it did the broadcast of the spelling bee from Washington on last night, participated in by Members of the two Houses of Congress and of the press. Senator Fess covered himself with glory as a mid-Victorian schoolmaster. Should he elect to retire from politics, a hundred thousand places are open to him as a teacher. The only criticism I have heard of him is that he did not flog some of those boys who had evidently not studied their lessons as they should have done, in keeping with the custom of blue-back school days.

We of the third North Carolina district felt honored in that you were chosen as one of the team of contestants and we must confess to some disappointment in your failure to stay in the ring longer than you did. You went out like one of Primo Carnero's several adversaries, who never lasted beyond the second round. However, you fell in action, if it was almost at the beginning of the engagement and are entitled to a military funeral, which is a privilege that is denied Congressmen other than those who fall in spelling bees, under the rules which restrict them to starting all the wars and at the same time exempting them from military service. About all the compensation your constituents get out of the affair is that it took two shots to bring you down, and that the one that got you was the now rather obsolete word "liquefaction," which may be said to be pre-Volstead and no longer of any important general use. It may be said, in mitigation of your inability to successfully dispose of this now almost useless word—that may as well be stricken from the vocabulary until something is done about the eighteenth amendment—that it relates to a process, and, if we may accept the unsupported testimony of Senator BROOKHART, Congressmen are better acquainted with uses than with processes.

Personally, I have a suspicion that you purposely misspelled this word, but I am not using this to your hurt. I really think it would have put you to some disadvantage in the district to have spelled it right, for it would have shown damaging familiarity with a term relating to an outlawed commodity which your honorable body has consigned to the infernal regions by statute, to the joy of some and the sorrow of others. One sees now and then a sorrowing Orpheus going down into the lower regions and bartering with Pluto for the return of his lost Eurydice. As matters now stand, such ventures are attended with better luck than the original Orpheus had, although there is an occasional mishap in which the enterprise results in failure.

In the use of this rather vague metaphor I do not wish you to get the idea that I am referring to Congress as the infernal regions. By no means could I be guilty of this blasphemy. I only refer to that part of the country at large that regards sobriety so lightly as to prefer the overthrow of the Commonwealth and the restoration of John Barleycorn. If I may express an opinion, I think the country is better off as the matter now stands. We have prohibition and liquor. Everybody that wants a drink can get it, and those who do not can do without. It is a matter of choice, and I see no cause of quarrel between the wets and the dries from what I read in the papers and see around me.

The broadcast of the bee came in perfectly and only vision was lacking to make it completely realistic. While my sympathies were in a public way with the statesmen, my private sympathies were with the representatives of the press by reason of the fact that at one period of my life I got my feet wet by wading in the shallows of the last named more or less honored field of endeavor. As I recall it, you and I were at the same time floundering in the troubled waters of country journalism, from which we were rescued by kind fate before we went down the third time. While you may have a preference, I am sure that, in remembrance of this time, you can hardly be prejudiced against the press to the point of envying its success in this contest, or hold it against me for letting my sympathies drift in that direction.

Ray Tucker, aside from winning laurels for himself and his profession, has added luster to the honorable name which he bears. In both England and our own country the family name stands out boldly in the biography of great and useful men, in the fields of philosophy, law, theology, science, war, and citizenship. The only black sheep in the family was a fellow named Dan, commemorated in an old song that belongs rather to the mythology of the nursery than to biography. He was doubtless as much a creature of fancy as Pope Joan, and his in-

ability to discern between wash bowls and frying pans, wagon wheels and combs, as well as his habitual violations of the principles of the Volstead Act, are as apocryphal as the story of Joan.

In recognition of his performance I feel that Congress could very well afford to vote Mr. Tucker a medal or some other distinguished-service award. Were he an Englishman he would be made a knight and given a pension. In this country we show no public recognition of merit of any kind. We pension soldiers indiscriminately whether they have seen service or not. If they have only put on the uniform and pulled it off that is enough. There is no objection to taking care of the soldier, but in the armies of peace there are individuals whose services in a purely public way deserve pensions or other suitable awards at the hands of the Government. Ray Tucker has rendered such a service. He has done this by reviving a widespread interest in better spelling. This is perhaps more important to the Nation than flying over the ocean in an airplane or discovering either or both of the poles of the earth. Our language is suffering hideous deformities, and I can think of no better way to correct this evil than by proper observance of a code of correct spelling of the words of which it is formed. Kindergarten, with its object lessons, is well enough to a certain point, even though it is a reversion to the primitive, but it has resulted in neglect of correct spelling of words by relying too much on pictures. Your spelling bee has served a useful purpose in calling attention of the Nation, that last night sat as in one class in school, to the importance of a revival in what is almost a lost art. The preservation of our language in its purity and of our literature in its beauty depends upon such a revival.

I hope your spelling bee may be made an annual feature. Those taking part in it give dignity and force to the movement for correct spelling, and in doing so serve their country in a capacity ranking in importance with that of enacting laws. Let the good work go on.

With regards and all good wishes, I beg to remain,

Yours cordially and sincerely,

L. A. BETHUNE.

[Applause.]

Mr. POUL. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. McCLINTIC].

Mr. McCLINTIC of Oklahoma. Mr. Chairman, ladies and gentlemen of the House, my period of service as a Member of this body covers the years when this Republic was engaged in a war with Germany. I am experienced more or less with many of the trials and tribulations that the people had to undergo during that time, and when it comes to legislation I supported what was known as the selective draft or the conscription law. In addition, when the delegates to the disarmament conference now in session left the shores of this Nation for England, I made a speech in which I said that regardless of my own personal views that should the United States and the other four nations agree upon a naval program that I would support the same. Therefore, I am trying to view questions relating to our national welfare in a proper way, as it is my desire to do that which is best for our country.

I have given careful consideration to the present bill, and after listening to some of the proponents of the same I will say that I am in accord with what they seek to bring about; however, I very much doubt the advisability of the present procedure, as the bill provides for the creation of the kind of commission that throws the balance of power to civilians other than members of the lawmaking bodies.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. McCLINTIC of Oklahoma. Yes.

Mr. SNELL. I do not understand the position the gentleman takes. We are not trying to give anybody authority to do anything. We are trying to give somebody authority to study the question and recommend whether or not it can be done.

Mr. McCLINTIC of Oklahoma. I am sure that it is not right to surrender this prerogative, as there will be those who will say, if not pleased with the result, that Congress deliberately side-stepped the responsibility. I am sure that regardless of who is appointed on this commission that there will be a minority and a majority report. When such is filed it is very probable that one of the reports will favor compulsory military training, and for the reason that such a program is favored by the military powers of our Government I say that the same kind of propaganda will be put forth in favor of such a program as is now being circulated throughout the Nation in favor of what is known as the joint pay bill.

I hold here in my hand a copy of a magazine that is called Our Army. On page 2 is to be found this statement:

We would like to call to the attention of our readers again Our Army's offer of its 1,000,000 letters advocating the pay increase. The letter, which appeared in full in last month's issue, can be had in any quantity by anyone who writes us. There are no obligations, no charges, no strings attached. Persons interested in a higher pay scale for the Army are urged to send copies of this letter to their

friends. It is beautifully printed on a fine paper and tells a powerful story. While the joint congressional committee is inactive, the moment was never more propitious for making use of this means to publicize the Army's needs. Hundreds of pounds of these letters have already gone out. Your request can be promptly filled at this time.

In addition, committees and individuals who seek to influence Members of Congress are bringing every kind of pressure possible on commercial clubs and other organizations requesting them to write their Member of Congress to support such a recommendation. I am in favor of helping enlisted men and some of the noncommissioned officers; however, as I view it, there is no justification for any such increase as is recommended in the so-called Army and Navy pay bill. It is unfortunate that there is in the country a lot of officers connected with commercial clubs that will indorse anything without giving the subject proper study; and in this connection I call attention to a letter I have written to the secretary of the chamber of commerce at Oklahoma City, which in part gives my views:

MARCH 11, 1930.

Hon. W. B. ESTES,

Secretary Chamber of Commerce, Oklahoma City, Okla.

DEAR MR. ESTES: I desire to acknowledge the receipt of your letter in which you indorse a recommendation made by certain interested individuals comprising a board of their own choosing for the purpose of raising their own salaries, called a joint interdepartmental board. According to the recommendations of this board the salaries of a private will be raised about \$1.13 per month and that of an admiral more than \$400 per month. I will be much pleased to have you advise me if you understood what these recommendations were when you requested in your letter that I support the same.

This board recommended as follows: Major generals, \$14,000; brigadiers, \$12,000; colonels (over 3 years in grade), \$10,500; lieutenant colonels (with over 27 years' service), \$9,600; majors (with over 24 years of commissioned service), \$8,400. Thus, under this proposed pay bill, with retired pay at 75 per cent of active pay, the annual rates on the retired lists would be: Major generals, \$10,500 (now \$6,000); brigadier generals, \$9,000 (now \$4,500); colonels, \$7,875 (now \$4,500); lieutenant colonels, \$7,200; and majors, \$6,300 (more than a major general now receives). A few lieutenant colonels and majors might be retired with slightly less than 75 per cent (after less than 30 years' service), but in general they would approach closely these maximum rates.

When you compare the amount that would be given to retired officers according to their own report with the amount of compensation veterans of the World War are receiving and the amount of pensions being paid to those who have performed honorable service in other wars, it would seem that this movement is a raid on the Treasury, as it will require an increase in the way of appropriations of more than \$85,000,000 per year.

President Hoover in his first message to Congress called attention to the fact that the officers in our Army and Navy are the highest paid of any nation in the world. When you take into consideration that the base pay of an admiral is about \$8,000, and in addition they get free house rent, or an allowance for same; free mileage when traveling on a train; free medical and hospital service, longevity pay; free automobiles and chauffeurs; the privilege of having furniture and supplies moved from one post to another without charge; the privilege of buying their groceries at cost in canteens; free gasoline for their cars, and many other reductions, which if added up into a sum of money would amount to more than \$2,500 per year for some classes, it is very evident that the pay is sufficiently high, as it was demonstrated to the satisfaction of all that civilians during the World War could be trained in a few months in such a way as to perform services that were in some instances superior to the kind performed by those in the regular military service. Whenever this Congress pays the Army and Navy forces salaries exceeding civil employees, then immediately they rate themselves accordingly, which, in my opinion, may bring about a situation that will not be best for the Nation as a whole.

Therefore I do not think you had a proper understanding of this report or you wouldn't have recommended the same in toto.

I am sending a copy of this letter to each member of the Oklahoma delegation, as I certainly am not in accord with your views on this subject and will never vote for a bill that makes such an unjust discrimination between admirals, generals, and privates.

Very respectfully,

J. V. McCLINTIC.

I doubt the advisability of assigning this duty to any commission, especially such a commission as has been authorized in this particular legislation.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. McCLINTIC of Oklahoma. Yes.

Mr. HUDSON. Whom would you send it to?

Mr. McCLINTIC of Oklahoma. To the proper committee.

Mr. SNELL. What would the gentleman suggest?

Mr. McCLINTIC of Oklahoma. The Committee on Military Affairs or some other committee having jurisdiction of the subject. Let them bring in a resolution recommending or authorizing an amendment to the Constitution.

Mr. SNELL. Is that the way to amend the Constitution?

Mr. McCLINTIC of Oklahoma. That is the only legal way to obtain the results desired in this legislation. And if the gentleman from New York wants to, he can prepare a rule and bring it in here and ask for proper action.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. POU. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. CROSSER].

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes.

Mr. CROSSER. Mr. Chairman and members of the committee, those chiefly interested in this bill have been eagerly, frantically, striving since the World War for a law establishing the draft or conscription of men for war as a settled policy. They have failed repeatedly in their efforts to pass, in undisguised form, a law for the conscription or draft of men as an established policy of the Government.

Now, however, having failed to pass legislation for the conscription of men, they tell us that this measure is proposed to make possible also the conscription of property. We are told that this is to provide for an investigation of the subject. Surely no intelligent person will be deceived as to the purposes of the resolution. The suggestion that the main purpose is to provide for the conscription of property is plainly for the purpose of allaying the hostility of the public to the proposal to pass a law which would make it possible to force men into military service whenever public officials might decide to do so without regard to public opinion which might prevail at the time.

I can respect those who candidly, frankly, and courageously present and argue for a policy which we oppose. I have little patience, however, with an effort to make the public believe that the chief concern is about something entirely different, and toward which the public is more favorable.

The slogan, "Conscript property," was constantly voiced during the war to prevent a feeling of injustice on the part of the men who were conscripted. Some of us tried to have property do its share during the war, but the opposition was so great that it was impossible.

One of those who appeared before the House Military Affairs Committee in support of conscription and who was candid and sincere in his advocacy of conscription, said: "You can not draft capital."

Why, then, should anyone be fooled by the talk about drafting property? The plain purpose of this resolution is to provide a basis for propaganda in favor of an established policy of conscription of men. Then, if legislation were enacted as a result of the proposed investigation, it would be a useless measure, so far as it might mention the draft of property, but ironclad in its provisions for the conscription of men.

Now, my friends, if those who talk so much about conscripting property really were in earnest about doing it, why have they not asked for hearings on Senate Joint Resolution 128, which would really provide for the conscription or draft of property during war? If the amendment to the Constitution proposed in that resolution were to become a part of the United States Constitution, there would be no doubt that property could then be conscripted for war purposes. I refer to the fact that that resolution was introduced on January 6, 1930, and yet none of those who claim to be so eager to make it possible to draft property for war purposes, not one of them, has requested a hearing on the resolution. Oh, my friends, if the Constitution were amended as proposed in that resolution, there would be no doubt as to the legal power to draft property for war purposes. On the other hand, everyone knows that unless the Constitution were amended the Government could not draft property for war purposes.

Everyone here knows that the sponsors of the resolution now before the House do not contemplate an amendment to the Constitution providing for the drafting of property in time of war. I do not quarrel with them about their disapproval of a proposal to amend the Constitution to make it possible to draft or conscript property for war purposes. They are no doubt sincere in such disapproval. It is an insult to men's intelligence to talk to them of conscripting both property and men under the Constitution as it now stands. The real purpose of such discussion is to make the drafting or conscripting of men less offensive to the public.

I do not believe that the gentleman from New York [Mr. SNELL] would care to have this resolution adopted if the bill were amended so that it would exempt labor from the effect of the resolution.

Mr. SNELL. I think the gentleman misunderstood my resolution. I said it did not provide for the conscription of man power. It provided for a study of the matter.

Mr. CROSSER. We can have a most comprehensive system of conscripting man power if we can induce Congress to adopt it, but if that amendment were made a part of the resolution, I will guarantee that they would not want it at all. [Applause.]

Mr. Chairman, at this very time the United States, by its duly authorized representatives, in conference with representatives of other nations, is engaged in an earnest effort to promote the friendship of nations and to establish world peace. They are endeavoring to provide for the reduction of the navies of the world, with the hope of later reducing them still further. The nations are assuring each other of their sincere desire for peace and of their peaceful intentions toward each other. Every right-thinking man, I am sure, wishes the greatest possible success for the conference. Every person who thinks of the horrors, the agony, the suffering, the want and misery that results from war, surely must hope earnestly for the success of the London conference; aye, for the success of any measure to prevent, or even make less likely, the possibility of war.

But, Mr. Chairman, here to-day men are hysterically pressing for the passage of a measure to make it possible to force almost instantly under arms every able-bodied man in the country. Does this eager and impatient clamor for conscription as the continuous and established policy of our people—does it, I ask—seem consistent with our assurances of good will toward all peoples and with our expressions of confidence in future world peace?

No nation should enter upon a war unless the weight of public sentiment of that nation is really in favor of engaging in such war. If the preponderance of the true sentiment of this country approves the Nation's entering a war, the Government is certain, without delay, to adopt such measures as will meet the approval of the people for the conduct of such war. If we still believe in the principle of government by the people, then surely it will not be insisted that the will of the people should be disregarded.

Most people are beginning to understand that quarrels and controversies, whether between individuals or between nations, is the result of wrong thinking. It is unsound to assume that the war attitude of mind and war itself is the normal state of the world and to arrange the affairs of nations from that viewpoint. The sense of justice of society, as a whole, improves with the improvement of the individual's standard of right, and with the increase in the number of individual members of society who manifest a higher sense of right. So it is with the society of nations. The confident, unwavering adherence of one nation to true principle, and the beneficent results of so doing, leads other nations, with absolute certainty, to adopt a higher standard of thought. With the increase in the number of nations adhering to a higher standard of right the improvement in the standard of conduct of the world, as a whole, increases with corresponding rapidity.

Men who think and act from the standpoint of right and reason are men of strong character and equal to every emergency. So also nation's thought and action of which are grounded upon principle and manifest the right are strong in character and of great influence. Such a nation need not fear for the future, for moral force is the ultimate and determining force in the affairs of nations as it is in the affairs of the individual. Well has it been said, "Thrice armed is he whose cause is just."

Let us devote our thought more to the business of understanding and getting along with others, be they individuals or nations and let us discontinue our petty tendency to berate, minimize, and misinterpret others whether they be individuals or nations. By so doing we shall have less occasion for apprehension and concern.

If a nation be as faithful as possible to such a standard and human intelligence should be unable to see a proper way in which such nation could avoid an international conflict, then that nation can be sure of the enthusiastic and whole-hearted support of its citizens in its physical conflict with its adversary.

Let us then devote ourselves primarily to the development of the character and true intelligence of the nation and concern ourselves secondarily with moderate precautions against supposedly possible conflicts with unlikely adversaries. If, by chance, there should occur an emergency determining the nation to resort to arms, a people contended because honestly and faithfully served by its government will loyally, cheerfully, and vigorously defend their country and assure its prompt success in the conflict, nor need we doubt that they will promptly adopt such measures as are best calculated to assure speedy success.

Mr. POU. Mr. Chairman, have I seven minutes remaining?

The CHAIRMAN. Six minutes.

Mr. POU. I yield the six minutes remaining to myself.

Mr. Chairman, if I thought that this resolution would produce some of the results that have been suggested here, I would die in my tracks before I would support it. Never would I consent to force the American workingman to labor against his will, but I know such result can not follow the adoption of this resolution.

I think unnecessary alarm has been shown. What we are doing here to-day is considering a resolution which establishes a fact-finding commission, that and nothing more. If the report of the commission is satisfactory, we can adopt such report. If the report is not satisfactory, we can reject it. The commission may recommend amendment of existing law; they may conclude that an amendment to the Constitution is in their opinion desirable, but if we refuse to accept their report, either in the one respect or the other, the law and the Constitution remain as they are to-day.

During the early days of the World War great measure after great measure was brought into the House and Senate. They could not have careful consideration. It was impossible to give them the consideration they were entitled to. This resolution is the result to a large extent of the experience that we gained during the World War. It is well known that committees of Congress have for years had under consideration bills introduced to equalize the burdens and to minimize the profits of war. These measures have been urged by patriotic, unselfish men and women from every State in the Union, but no agreement as to action could be reached. A compromise which it was hoped would be satisfactory to friends and foes of the proposed legislation is the resolution now before you. The problem is so great, affects so many persons and interests, it was deemed wise to proceed slowly. It was thought no one would object to a commission clothed with authority only to find the facts and report its findings with any recommendation deemed wise to the Congress. This is all the resolution does. It is all the resolution can do. Moreover, the resolution is wide open to amendment.

Now, I submit, Mr. Chairman, the fears expressed by opponents of the measure here to-day are not in the least justified. We are not legislating; we are not amending a line in any existing law. The rights of not one single American citizen can be affected if the resolution is signed by the President, nor will a single dollar of property value be in any way affected. It is a commission to investigate, to seek light, to find facts, and we hope to discover how blunders made in the past can be avoided in the future.

The resolution was introduced on February 13, 1930, and is the result of a great deal of labor by gentlemen who have but one end in view, and that is to avoid a repetition of many of the things that occurred at the beginning and during the World War.

This commission will make a report and go out of existence. If the House is not pleased with the report we can vote it down. My God, gentlemen, it looks as if nobody could oppose an effort to find out the facts of the greatest tragedy of all time.

Mr. PALMER. Will the gentleman yield?

Mr. POU. I yield.

Mr. PALMER. Is this not in keeping with the promises and pledges made in the national platforms of both the Democratic and Republican Parties?

Mr. POU. If it is, well and good, but this measure is so important, the results of it may mean so much, that I did not want to bring politics into it. It would be better to keep politics entirely out of it.

There are many men and women who feel very deeply about the World War. The soldiers who went to the front are not the only ones who suffered. The whole Nation suffered. The resolution is intended to promote the cause of peace. It is supported by patriotic consecrated men and women all over this land by thousands who did military service in Europe and by thousands of fathers and mothers who saw their sons leave never to return. If I thought there were a germ of selfish interest purposely written in the resolution I would spit upon it. If I thought its purpose was not that of a fact-finding, light-seeking body I would scorn to vote for it.

Mr. Chairman, I say again I see no cause for the alarm that has been sounded here. This resolution, in my judgment, is a step in the direction of peace. If I could do one thing at the end of 29 years of service in this House to make war more improbable, to bring peace a little nearer, I would feel that my services had not been entirely in vain. [Applause.]

The CHAIRMAN. The Clerk will read the joint resolution for amendment.

The Clerk read as follows:

*Resolved, etc., That a commission is hereby created to study and consider the feasibility of equalizing the burdens and to minimize the profits of war, together with a study of policies to be pursued in event of war, so as to empower the President immediately to mobilize all the resources of the country. The commission shall report definite recommendations to the President of the United States to be by him transmitted to the Congress not later than the first Monday in January, 1932.*

Mr. BANKHEAD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 1, line 4, strike out the words "the feasibility" and insert in lieu thereof the word "methods."

Mr. SNELL. Mr. Chairman, I have no objection to that amendment.

Mr. BANKHEAD. Mr. Chairman, if the amendment is agreeable to the chairman of the committee and those who are interested in the bill, I have no desire to debate the matter.

The amendment was agreed to.

Mr. BANKHEAD. Mr. Chairman, I offer another amendment to the resolution.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 1, line 4, strike out the word "minimize" and insert in lieu thereof the word "remove."

Mr. SNELL. Mr. Chairman, I am willing to accept that amendment.

The amendment was agreed to.

Mr. McSWAIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McSWAIN: Page 1, line 11, after the figures "1932," strike out the period, insert a comma, and these words: "And to report if in their opinion any constitutional amendment be necessary to accomplish the purposes desired."

Mr. SNELL. Mr. Chairman, I am willing to accept that amendment.

The amendment was agreed to.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama [Mr. HUDDLESTON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HUDDLESTON: Page 1, line 11, at the end of the amendment offered by Mr. McSWAIN, insert: "Provided, That said commission shall not consider and shall not report upon the conscription of labor."

Mr. HUDDLESTON. Mr. Chairman, may I ask the gentleman from New York [Mr. SNELL] if he will accept this amendment also?

Mr. SNELL. The intent of this resolution was to use everybody fairly. I am not going to accept an amendment of that kind.

Mr. HUDDLESTON. Mr. Chairman, I am claiming recognition.

Mr. SNELL. The gentleman asked me a question.

Mr. HUDDLESTON. The gentleman could have answered it "yes" or "no," without trying to take the wind out of my sails.

The CHAIRMAN. The gentleman from Alabama is recognized for five minutes.

Mr. HUDDLESTON. Mr. Chairman, everybody wants the profit taken out of war. Anybody would be willing to go any reasonable length to have consideration given to an effort to take the profits out of war. It seems to me that nobody should want a commission to consider means whereby the fetters of industrial slavery may be riveted upon the hands of men who toil. Upon that, I submit the amendment.

If you are sincere in desiring that profit be taken out of war, verily the adoption of this amendment will not interfere in the slightest degree with your purpose, and your vote should be for my amendment. On the other hand, if you desire that the proposed commission shall make a report, which, when ripened into legislation, will enable the laboring people of this country to be conscripted and forced to work for private industry for private profit, then your vote should be against my amendment.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I move to strike out the last two words,

The CHAIRMAN. The gentleman from Wisconsin [Mr. SCHAFER] is recognized for five minutes.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I hope the House will accept the amendment offered by the gentleman from Alabama [Mr. HUDDLESTON]. The adoption of the amendment will in no manner defeat the purpose of the resolution as advocated by its sponsors. The proper solution of the problems indicated in the pending resolution is to amend the Constitution so as to permit the Federal Government to conscript capital to pay for future wars. If it is right in principle to conscript and take the lives of our citizens in time of war, it is manifestly right to conscript capital to carry the financial burdens of such wars. The adoption of the pending amendment will be an expression of this Congress against a policy of industrial slavery for the enrichment of private interests in time of our Nation's peril.

Mr. SNELL. Mr. Chairman, I rise in opposition to the amendment. As far as I know, the people who are back of this resolution are absolutely honest in their intent and purpose. This is not a class resolution. It applies to every class of people in every part of the United States exactly the same and equally. If we should make an exception of any one class of people, of course, we should make an exception of others. If the amendment offered by the gentleman from Alabama should be adopted it would make this entirely a class resolution, and the real purpose of the Legion and other loyal supporters is lost. I trust the amendment will be voted down.

Mr. STEAGALL. Mr. Chairman, It happens that I have been a Member of this body for 15 years. I have heard a great deal of discussion touching the question involved in the resolution under consideration this afternoon. The discussion began during the World War. We attempted to follow the principle of taking the profits out of war in passing the legislation providing for the support of our Army. We levied an excess-profits tax and assured the country that we were going to require wealth to contribute its proper share in support of the war. The conflict ended with a debt of \$25,000,000,000 hanging over the American people. The greater portion of that debt is still unpaid and is being spread out over a period of years that will leave much of it to be borne by the boys who did the fighting. For 11 years the Congress of the United States has had opportunity to take some of the profits out of the war, but the action of Congress has not squared with the words of those who now talk so earnestly in favor of this resolution. If the Congress really desires to do something substantial along this line, we have ample opportunity in providing for the discharge of the burden of debt that still remains as result of the cost of the World War. The records of the Treasury Department show that during the war period profiteers took advantage of the Nation's distress and made \$40,000,000,000.

This took place while our boys were conscripted to fight and die under the flag in France. More than half of this sum gathered in by the profiteers during that period went into the hands of less than 10,000 individuals and corporations. When the curtain went down on the tragedy of blood across the sea about the first major undertaking of the Congress was a bill reported and passed in this House relieving the profiteers of the country of war taxes amounting to \$500,000,000. The bill passed this House over such protest as a few of us were able to interpose.

The boys were conscripted to do the fighting. If one of them complained or criticized a superior officer, he was court-martialed. If he ran away from his duty, he was subject to be tried and shot for desertion. I have always said, as I said then and as I say now, that every one of those profiteers who came here besieging Congress to relieve them of their just share of the burdens of debt growing out of the war should be branded as deserters, unworthy of the sacrifices made for them by our brave boys at the battle front. These profiteers deserted in the midst of their duties! They are deserters now, because we still owe nearly \$20,000,000,000 of war debt.

The Congress has the right to begin here and now to apply the principle involved in this resolution designed to take the profits out of war and let that principle govern us in the taxes to be levied to take care of existing debts and obligations incident to the war. But there is no more chance to get such a proposition considered in this body than there would be to pass legislation to-morrow to move the Capitol to Europe!

We are not going to do anything under this resolution except to indulge in talk and gestures just as we have been doing for 11 years. It is only a little sop, a little camouflage, a mere meaningless pretense at fulfillment of a political promise made during the last presidential campaign. It will get nowhere and it will accomplish nothing. We have had 11 years since the war in which those in charge of the Government have had opportunity to write into law and put into practical effect the

principle to which Members of the House proclaim such ardent devotion this afternoon.

If it is really desired to do something worth while along the lines indicated in this resolution, we should submit a necessary amendment to the Constitution to be ratified by the States declaring the purpose and giving Congress the power to conscript wealth and to take the profits out of war. If such an amendment were adopted and such a purpose made clear, it would accomplish the object contemplated, and, above that, it would tend to prevent war. If only we could adopt such a policy and serve notice on the wealth of the country that we propose to pay cash for future wars, it would be the greatest step in the interest of peace ever witnessed by any Member of this House.

The plain truth is I have no sort of sympathy with any legislation at a time like this which attempts to treat war as the normal condition of mankind. (Applause.) That is what this resolution does. It is ill-timed and unfortunate. Where is your war? When is it coming? With whom is it to be fought? What sane man of common sense can find any basis for fear that this Government is soon to engage in armed conflict with another power?

My friends, the greatest work the present administration has done—the one bright page in all the record since this administration came into power—was written down in Virginia on the banks of the Rapidan, in the conference held there between the British Premier and the President of the United States when we announced our purpose to lead mankind away from war! The world fixed its eyes and its hopes upon the conference that followed that meeting, and throughout the world Christian men and women are praying for its success. The peace conference needs a message of peace from the Congress of the United States and not a move discreditable to us and disquieting to the world looking toward foolish and unnecessary preparations for war! [Applause.]

Mr. WAINWRIGHT. Mr. Chairman and gentlemen of the committee, I rise to oppose this amendment. I believe this amendment would defeat the very purpose of the resolution, the very purpose we have in mind, namely, that there should be a complete conscription of man power in time of war and that no element of the population should be exempt in any manner, but that rich and poor, high and low, alike, should be subject to the power of the Government and that no one, on account of any condition, should be immune from the authority of the Government to apply his services and to put him in time of war in that position and use his services in that capacity where he could be most useful in assisting and contributing to the winning of the war.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. WAINWRIGHT. Yes.

Mr. SCHAFER of Wisconsin. Under existing law and under the Constitution can not you take all the man power into the service of the Government in time of emergency?

Mr. WAINWRIGHT. We certainly can.

Mr. SCHAFER of Wisconsin. Then why does the gentleman oppose this amendment?

Mr. WAINWRIGHT. Because this would be a discrimination in favor of one element of our population, while it is the purpose of this legislation to take every element of the population and all of the man power of the country into the service of the country if necessary.

Mr. QUIN. Mr. Chairman, I rise in support of the Huddleston amendment.

It occurs to me, Mr. Chairman, that the gentleman from New York has told the truth about what this bill means. The gentleman from Alabama [Mr. HUDDLESTON] introduced an innocent amendment here. This amendment strikes from this bill the chance of this proposed commission going out and knifing the laboring people of the country in the back and fettering them as slaves in time of emergency.

The gentleman from Wisconsin [Mr. SCHAFER] said that in the last war they took some of my constituents and made them go out and labor in building roads. They do this in every war. This is a part of war. When they conscript either the white man or the colored man, they can, of course, use him as a laborer in constructing roads to carry munitions of war. Nobody objects to that. But what they are after now, Brother SCHAFER, is to take these colored men and these white men and put them in private industry on the salary or the wages of a private soldier. What they are after is to grab by the nape of the neck all these men engaged on the public utilities, the men who are firing the locomotives and running the trains from one end of this country to the other to haul produce and commerce, and to put these men in service as private soldiers with the pay of a private soldier. What they mean to do is to take all the men engaged in factories, railroad shops, and workshops by the nape of the neck and say, "You are soldiers," conscripted

by an act passed by whom? By a lot of supposed patriots in time of peace, during the year 1930.

After we had proclaimed to the world that we never wanted any further war, that we were going to stop building great battleships, and so on; in times of peace, a set of patriots in Congress said, "We are going to conscript all the laboring men and women in the United States and put them into industrial slavery under the pretense that we might lose a war."

My friends, this is exactly what is intended, and the gentleman from New York has expressed it. He told you, "No; we can not take that out of the bill, because that will take away the essence of the measure."

Mr. WAINWRIGHT. Put them all on an equality.

Mr. QUIN. The gentleman has made his speech and I am now speaking for the Huddleston amendment. He spoke against this amendment and I am now arguing for it.

They are not going to consider the poor laboring men in time of war. You want to have them included in this resolution and you know that is what you intend. You know that the sponsoring of this measure means just that. I know it, although I have not conferred with the gentleman, but I have sense enough to smell it. You can smell it in this bill. Your sense of smell, without any intellect, ought to lead you as straight as a martin goes to its gourd. There is not any mistake about what the intent is. Brother WAINWRIGHT, of New York, told this House the exact facts about the intention, and if you vote for this resolution you vote with your eyes wide open.

If you vote to put the Huddleston amendment in the resolution, then the resolution can pass. We want to remove the profits from war, but that is not the object of this resolution. The resolution is manifestly put up for the purpose of fooling somebody, and the commission will go out and make a report back here of the only thing it can report. The head man of the American Legion said that you can not, under the Constitution as it stands to-day, conscript capital. He testified to this before the Committee on Military Affairs of this House. He told the truth. Do you gentlemen believe it? Now, why do you want to go out here with one of these independent commissions to carry out an ulterior purpose that you say is not expressed in the resolution? Let us adopt the Huddleston amendment exempting labor, I will vote for the resolution.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CONNERY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, ladies and gentlemen of the committee, every bill on this subject which has been brought in or discussed by the committees has been opposed by the American Federation of Labor. The American Federation of Labor must have a very good reason for opposing all of these bills, the Johnson bill, the McSwain bill, this resolution, and all of them.

They have the fear that any legislation of this sort which comes in means we are going to conscript labor and that we are not going to conscript capital.

The amendment of the gentleman from Alabama [Mr. Huddleston], it seems to me, will clear up all these matters, and if we are really sincere in not wanting labor conscripted, we should support the amendment.

Do not worry about labor going into the front-line trenches in any war that comes. They will be in the front-line trenches. Labor has always been there and will always be there, and what we are after to-day is to see that capital is conscripted and that the profiteers will not profiteer in future wars as they have in past wars at the expense of the American people.

I merely rise at this time to state what I believe is the position of labor throughout the United States. Do not forget that when the American Legion has gone on record in favor of this sort of legislation it has done so with the idea that capital was going to be conscripted. The ordinary, everyday member of the American Legion is a laboring man and when the American Federation of Labor is speaking against this legislation, it is speaking for 95 per cent of the American Legion in the United States. [Applause.]

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. CONNERY. I will be pleased to yield to the gentleman.

Mr. SCHAFER of Wisconsin. The ordinary veteran of the World War who is a member of the American Legion, who talks in favor of conscription in ninety-nine cases out of a hundred is talking in favor of the conscription of capital and not of labor.

Mr. CONNERY. That is what they mean. The gentleman knows it, and I know it.

I will not take any further time of the House. All I want to add is that we do not have to favor conscription of labor, because they will be in the front-line trenches anyway, and if you want

to stop profiteering in the next war, then support the Huddleston amendment. [Applause.]

Mr. SNELL. Mr. Chairman, I move that all debate on this amendment be now closed.

The motion was agreed to.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Alabama [Mr. Huddleston].

The question was taken; and on a division (demanded by Mr. Huddleston and Mr. ALMON) there were 117 ayes and 30 noes. So the amendment was agreed to.

Mr. PATMAN. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 1, line 3, after the word "consider" insert "amending the Constitution to provide that private property may be taken by Congress for public use without profit during war, and"

Mr. SNELL. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. SNELL. Is not that covered by the amendment of the gentleman from South Carolina [Mr. McSwain]?

Mr. PATMAN. No; this resolution specifically provides for property to be taken without profit. I believe that the gentleman from New York said that he would favor such an amendment. The resolution if amended would read like this:

That a commission is hereby created to study and consider amending the Constitution of the United States and provide that private property may be taken by Congress for public use without profit during war and the feasibility of equalizing the burdens, and to minimize the profits of war—

And so forth.

Mr. SNELL. It seems to me that the amendment of the gentleman from South Carolina [Mr. McSwain] would accomplish the purpose sought to be accomplished by the gentleman's amendment.

Mr. McSWAIN. There is this little difference which I think is perfectly harmless. This is to consider the question whether or not a constitutional amendment is desirable to use private property without paying profit.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was agreed to.

Mr. LAGUARDIA. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 1, line 11, after the figures "1932" strike out the period and insert a comma and the following: "Together with copies of its proceedings and hearings."

Mr. SNELL. Mr. Chairman, I have no objection to that.

The CHAIRMAN. The question is on the amendment of the gentleman from New York.

The amendment was agreed to.

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Page 1, line 11, strike out the figures "1932" and insert in lieu thereof the figures "1931."

Mr. JOHNSON of South Dakota. Mr. Chairman, I am not going to discuss this particular amendment, as I discussed it in general debate. I rise to call attention to what has happened by the adoption of the Huddleston amendment, which eliminates any investigation of what might happen to labor. It came from the Democratic side of the House, and it is an indorsement of the proposition that a man shall get \$25 a day in the shipyards of the country and that there will be no investigation. It has actually killed the bill, because it has made it class legislation; and the bill does not accomplish the purpose for which it was originally drafted. I have been more than surprised to see its original sponsor vote for it. I think anybody would be justified in voting against it when the resolution is so amended that it will exempt any particular class in any investigation to see that that particular class shall not profit during the war. [Applause.]

Mr. SNELL. Mr. Chairman, in reference to the amendment offered by the gentleman from South Dakota, it seems to me that the commission will need the full time if this investigation is going to be a comprehensive study as the gentleman thinks is necessary, in order to place this matter properly before the Congress. Next year will be the short session, and if it is not reported to the President until January 1, 1931, it will be practically impossible to get any legislation passed during the last two months of the Congress. If gentlemen are honest about it,

if they are sincere and want to consider it, I think they should let this go to the next year, and the commission will then have ample time to investigate and make its report.

Mr. McSWAIN. Mr. Chairman, will the gentleman yield?

Mr. SNELL. Yes.

Mr. McSWAIN. This year all of us will have campaigns on our hands and we will be too busy to come here and sit around the Capitol working on this proposition, but next year will be an off year and we will have time when we can give study to it.

Mr. JOHNSON of South Dakota. I think the adoption of the Huddleston amendment is so discriminatory that I would feel justified in voting against the bill, but, as I stated in the beginning, I am certain that it will amount to nothing anyway.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. HASTINGS. Would the gentleman consider changing it to the first Monday in December, 1931, so that the report will be made to Congress when it convenes. That is an amendment that I had prepared and was about to offer.

Mr. JOHNSON of South Dakota. Since this discussion, I see that there may be some difficulty in securing an early report. I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer an amendment that the report be made on the first Monday in December, 1931.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Johnson of South Dakota: Page 1, line 10, at the end of the line, strike out the word "January" and insert the word "December," and page 1, line 11, strike out "1932" and insert "1931."

Mr. SNELL. That is satisfactory.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. HUDDLESTON. Mr. Chairman, I rise to express my appreciation to the gentleman from South Dakota [Mr. JOHNSON] for his contribution to this discussion. He is recognized by all who are familiar with this subject as having been the leading protagonist of the legislation for the conscription of capital and labor. He introduced the first bill on the subject eight years ago. He knows the purpose of the legislation if anybody knows it.

He has told us that to exempt labor from conscription defeats the purpose of the legislation. His statement is clear. Nobody can misunderstand it.

I say to him that I am almost as much opposed to the conscription of property as I am to the conscription of labor. I regard the proposal as one of supreme folly, but if we must have the conscription of either one or the other, then surely I will favor the conscription of property, and not the conscription of labor.

My amendment was hastily prepared and will require some correction in the Senate when the legislation gets there, if it ever does, which God forbid. Its purpose was to prevent the Government, in time of war or any other time, seizing upon a workingman whether a farmer or a mechanic or whatever he may be and putting him to work for a private industry in order that the owner of the industry may make a profit out of his labor.

That was the sole purpose of my amendment. By its adoption that purpose has now been accomplished. The bill from the standpoint of labor has now been "denatured" and "dehorned," and I shall leave to the champions of property the task of defending it.

I am glad the gentleman said what he did. He has done much to clarify the situation. Nobody can yet remain in doubt that the purpose of this bill, the main purpose of it, was to lay fetters upon the hands of labor with a form of industrial servitude. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from South Dakota moves to strike out the last word.

Mr. JOHNSON of South Dakota. Mr. Chairman and Members of the committee, I had not intended to discuss this bill and would not do so now were it not for the remarks made by the gentleman from Alabama [Mr. HUDDLESTON]. As a matter of fact, there has never been any intention in the minds of anyone, either the gentleman from South Carolina [Mr. McSWAIN] or the gentleman from New York [Mr. SNELL] or myself, to

conscript labor as such. I could not sit idle and let that accusation be made.

My theory was that we should have such legislation as in time of war would make it sure that everyone would do their full part in that war. We knew that certain of them would be in the trenches; we knew that certain of them would be in the factories and mills, and we knew that certain of them would run business, but that none of them would be allowed to profiteer.

Judging from the way the gentleman from Alabama has framed his address, it would appear to certain individuals who represent labor that there was a desire to conscript labor and perhaps to put a uniform on them and make them run railroads, and so forth. There never was any such intention. I want to make it clear, so that the remarks made by myself will not be misunderstood in the future. [Applause.]

Mr. McKEOWN. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Substitute offered by Mr. McKeown: Strike out all after the enacting clause and insert the following:

"That hereafter during any war emergency in which the United States is involved directly, it shall be unlawful for any person to contract for or to receive any sum of money in excess of the cost of production or reasonable market value of any arms, munitions of war, or property of any character furnished to or taken by the United States for use in such war emergency, and any person violating this act shall refund to the United States any excess sums received and be subject to a fine of not less than \$1,000 or imprisonment for a period of not less than two years at hard labor."

Mr. SNELL. Mr. Chairman, I make a point of order on that amendment.

Mr. McKEOWN. Will the gentleman give me five minutes?

Mr. SNELL. No. It is absolutely foreign to the whole bill. There is nothing in the bill that is connected with that in any way, shape, or manner.

Mr. Chairman, I move that all debate on this section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from New York moves that all debate on this section and all amendments thereto be now closed.

Mr. McKEOWN. Mr. Chairman, I have waited here patiently all the time.

The CHAIRMAN. The question is on the motion of the gentleman from New York [Mr. SNELL].

The motion was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That said commission shall be composed of four Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and four Members of the Senate, to be appointed by the President of the Senate, the Secretary of War, Secretary of the Navy, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor, and five other persons not holding any salaried governmental position with the Federal Government, and selected with a view to represent, in a general way, the views of labor, industry, capital, agriculture, and the professions, respectively.

Mr. SNELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SNELL: Page 2, line 7, after the word "respectively," strike out the period and insert the following: "to be appointed by the President."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. McKEOWN. Mr. Chairman and members of the committee, I always try to be fair with everybody in this House. I do not take up very much of the time of the House making speeches. There is not anything vicious about this resolution, but there is no reason for bringing it in at this time. Here we are going out saying to the world that we want peace and asking the other nations of the world to join with us in favoring peace. We have in England to-day our representatives at the Naval Disarmament Conference. There is no reason at all why you should now bring up here a measure that has to do with war when we are talking about peace.

You can adopt this resolution. There is nothing vicious about it, as I said, now that the amendments have been made to it. But let me ask you something: Why do you make another commission to take two more years of time when you can report a bill in here, not exactly like the one I presented but something similar, by which you can take the profits out of war? Why do you waste that much time? You do not have to have a commission to go out and find out about that, and your commission can not provide any bill that Congress can pass which can take property without recompense to the property owner. You know that. Why camouflage here and enact a measure to create a commission to go out and do something that Congress itself can do? There are only two things you can do.

One is to provide by law that no profit can be made out of munitions and necessities of war, and the other is to submit to the States of the Union a constitutional amendment providing for the drafting of property during war emergencies.

There is a lot of talk all over this country about taking profit out of war. I dare say that every Member of Congress in this Hall has stood upon a platform and told the people of his district that if he had an opportunity he would take the profit out of war; he was going to conscript capital, just as they took the boys into the war.

Mr. SNELL. Will the gentleman yield?

Mr. McKEOWN. I yield.

Mr. SNELL. Is it not the intent and purpose of those who are back of this resolution to start along the line suggested by the gentleman?

Mr. McKEOWN. I think so, and I am not impugning the motives of anyone. I simply say that we are putting off until to-morrow what we could do now and what we should do now instead of waiting for a commission.

Mr. SNELL. As far as I know, nobody has yet been able to present a definite plan to cover this proposition. The Committee on Military Affairs considered the matter for three or four years. They threw up their hands and said they could not make any recommendation.

Mr. McKEOWN. Does the gentleman say that is any reason why the entire Congress should throw up its hands?

Mr. SNELL. Somebody has to sit down and study this general proposition, and we are trying to start to do what the gentleman says he would like to have done.

Mr. McKEOWN. The gentleman would not have any objection to passing a law, while this commission is at work, similar to what I have offered here, by which we would take away from a man who sells something to the Government any profit during a war?

Mr. SNELL. It would not have any effect at this time, because we are not in war.

Mr. McKEOWN. We can pass this legislation in time of peace. If that is true, we can not pass the legislation which the gentleman's committee brings in in time of peace. If this legislation can not be passed now, the legislation which the commission may recommend can not be passed. The only thing the commission can do is make a recommendation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SNELL. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

Mr. BANKHEAD. Will the gentleman yield?

Mr. SNELL. I yield.

Mr. BANKHEAD. When the gentleman from South Dakota [Mr. JOHNSON] was on the floor speaking in opposition to the amendment, I understood him to say that it was his intention to offer an amendment to eliminate the five outside members of the commission. The gentleman from South Dakota stated that when this phase of the bill was reached it was his purpose to offer such an amendment.

Mr. JOHNSON of South Dakota. I have offered an amendment, and it is at the Clerk's desk. I do not care to debate it.

Mr. BANKHEAD. I would like to have five minutes to discuss that phase of the subject.

Mr. SNELL. Mr. Chairman, I move, then, that the debate on this section and all amendments thereto close in five minutes.

Mr. JOHNSON of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. JOHNSON of South Dakota. I have an amendment at the Clerk's desk which I want to present.

The CHAIRMAN. That will be presented later. The question is on the motion of the gentleman from New York that the debate on this section and all amendments thereto shall close in five minutes.

The motion was agreed to.

Mr. MOORE of Virginia. Mr. Chairman, I have an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Virginia [Mr. MOORE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. MOORE of Virginia: Page 2, line 7, after the word "labor" and the comma, insert the words "the Attorney General."

Mr. SNELL. Mr. Chairman, I have no objection to that amendment.

The amendment was agreed to.

Mr. STEAGALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama [Mr. STEAGALL] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. STEAGALL: Amend section 2 so that the same will read as follows:

"SEC. 2. That said commission shall be composed of five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and four Members of the Senate, to be appointed by the President of the Senate."

Mr. SNELL. Mr. Chairman, I would like to ask what that amendment means. The amendment does not strike out anything. Is the amendment in addition to the language of the pending section?

Mr. STEAGALL. It amends the section to make it read in the language that was just read. It strikes from the section the provision for the service of any members except those appointed by the Speaker of the House and the President of the Senate. It retains the hand of Congress upon this work, where it should be, I think. That is the purpose of the amendment.

Mr. SNELL. Mr. Chairman, I think the gentleman should first ask to strike out section 2 and insert the following.

Mr. STEAGALL. I accept that.

The CHAIRMAN. Does the gentleman from South Dakota [Mr. JOHNSON] desire to offer his perfecting amendment?

Mr. SNELL. That is practically the same thing, Mr. Chairman. Certainly, before the gentleman can ask to amend he must strike out the section.

Mr. STEAGALL. I will say to the gentleman that the language of the amendment is to be substituted for the language of the section. I am willing to make it read as the gentleman suggests.

I ask permission to amend the amendment by inserting a clause reading "strike out all after the word 'Senate.'"

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to amend the amendment by striking out all of section 2 and inserting his proposed amendment.

Mr. SNELL. Mr. Chairman, the gentleman desires to strike out the section, as I understand it.

Mr. STEAGALL. That is what I desire.

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as amended.

The Clerk read as follows:

Amendment by Mr. STEAGALL: Strike out all of section 2 and insert in lieu thereof the following:

"SEC. 2. That said commission shall be composed of five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and four Members of the Senate, to be appointed by the President of the Senate."

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer the amendment which I have on the Clerk's desk as a substitute for the amendment offered by the gentleman from Alabama.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Page 2, line 6, after the word "commerce," strike out the comma and insert in lieu thereof the word "and," and on the same page, after the word "labor," in line 7, strike out the comma, insert a period, and strike out the remainder of the section.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment is not in order. The amendment offered by the gentleman from Alabama is virtually a motion to strike out the section and insert.

The CHAIRMAN. The Chair sustains the point of order. The question is on agreeing to the amendment offered by the gentleman from Alabama [Mr. STEAGALL].

The question was taken; and the Chair being in doubt, the committee divided, and there were—ayes 83, noes 105.

So the amendment was rejected.

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. JOHNSON of South Dakota, offers the following amendment: On page 2, line 6, after the word "Commerce," strike out the comma and insert in lieu thereof the word "and" and on the same page, after the word "Labor," in line 7, strike out the comma, insert a period, and strike out the remainder of the section.

Mr. STAFFORD. May I inquire of the gentleman from South Dakota whether he intends to eliminate the amendment which was adopted providing that the Attorney General should also be a member of the commission?

Mr. JOHNSON of South Dakota. No; the Attorney General is not stricken out by the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The question was taken; and on a division (demanded by Mr. JOHNSON of South Dakota) there were—ayes 95, noes 74.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 3. As soon as practicable after the approval of this resolution the President shall appoint and announce the members of said commission to be by him appointed as provided in section 2 and shall direct the said members to meet with the members to be appointed by the Speaker of the House of Representatives and the President of the Senate in the city of Washington, D. C., as soon thereafter as may be practicable, and shall supply from the War Department all necessary office and clerical assistance.

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. JOHNSON of South Dakota offers the following amendment: Strike out section 3 and insert in lieu thereof the following:

"The said members to be appointed by the Speaker of the House of Representatives and the President of the Senate shall meet as soon as possible after the enactment of this resolution in the city of Washington, D. C. The Secretary of War shall supply from the War Department all necessary office and clerical assistance."

Mr. JOHNSON of South Dakota. Mr. Chairman, that is purely a perfecting amendment which is necessary because of the adoption of the amendment to section 2. After we have eliminated the civilians in section 2, then section 3 would not make any sense without the adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

The Clerk read as follows:

SEC. 5. That no compensation shall be paid any member of said commission, and no expenses shall be incurred by them except the actual expenses of sustenance and travel for the members of the commission, and printing and clerical assistance that can not be reasonably provided by the War Department.

Mr. McSWAIN. Mr. Chairman, I move to strike out the last word. I merely desire to say that I do not agree with the sentiment that has been expressed, to the effect that the adoption of the so-called Huddleston amendment dehorn, denatures, or destroys the purpose and desirable benefits of this proposed resolution.

I stated in my remarks in general debate that so far as I know it was never the intention of the promoters of this legislation to draft labor as such, and for use of labor as such; that Mr. Bernard Baruch had expressed his opposition to that idea as impracticable and unwise, as well as undesirable. I agree with him heartily, because any such legislation would defeat the cause of national defense, and, as I said, render it less effective as an agency of defense. So I think there is great good in the resolution yet, even with the amendment I have referred to.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. McSWAIN. Yes.

Mr. JOHNSON of South Dakota. When this bill comes back from the Committee of the Whole I expect to ask for a separate vote on the Huddleston amendment, because I do not think it is fair to send the news out to the people of the United States that we are going to exempt any class, especially when there was never any idea of drafting man power.

Mr. McSWAIN. Here is the point: It is a practical situation that confronts us and not a theory. We never expected to do it, and we are here meeting the challenge that we do intend to do it, by our agreeing to the amendment. If the amendment had been drawn so as to contain this language:

That the commission shall not consider the question of drafting women and children.

I would have been for it. I want to put myself on record as supporting the amendment, so that nobody can question my good faith and my loyalty, to what I have already said and have always said with reference to it. I do not see that any serious injury has been done to the main project by the amendment which has been adopted.

Mr. ABERNETHY. Will the gentleman yield?

Mr. McSWAIN. Yes.

Mr. ABERNETHY. As I understand the gentleman's position, it is that we can go on and draft men, whether they are laboring men or otherwise?

Mr. McSWAIN. For military purposes.

Mr. ABERNETHY. But we can not take men and put them into industry?

Mr. McSWAIN. Certainly not. Of course, this amendment does not defeat the study of the desirability of drafting men as men for military service, irrespective of what they be, whether they are doctors, lawyers, preachers, or what not. Of course, the gentleman agrees that is a sound proposition, and his idea was that we shall not at all enter into an inquiry as to the drafting of labor as labor for use in industrial institutions operated for private profit.

Mr. CONNERY. Will the gentleman yield?

Mr. McSWAIN. I yield to the gentleman.

Mr. CONNERY. The gentleman feels now that the resolution as it stands, with the Huddleston amendment, gives us a chance to curb the profiteers?

Mr. McSWAIN. Why, certainly. I think the resolution is very desirable. I am just as strong for it as it stands as I ever was, and I want to say to the Members of the House in all candor to exculpate the gentleman from New York [Mr. SNELL], who was generous enough and courageous enough to sponsor the idea, if there was any mistake about the inclusion of the Cabinet officers and the five others, the suggestion originated with me and with nobody else under the sun; and if the gentleman adopted my language and followed it, I do not think he is to blame, and I am willing to bear all the responsibility for thus leading him wrong. [Applause.]

The pro forma amendment was withdrawn.

Mr. SNELL. Mr. Chairman, I move that the committee do now rise and report the joint resolution back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the joint resolution as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SIMMONS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the joint resolution (H. J. Res. 251) to promote peace and to equalize the burdens and to minimize the profits of war, had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. SNELL. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask for a separate vote on the Huddleston amendment, but I will not ask for a roll call because it is so late.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the other amendments will be considered en bloc.

The amendments were agreed to.

The SPEAKER. The question is on the Huddleston amendment.

The question was taken; and on a division (demanded by Mr. HUDDLESTON) there were—ayes 123, noes 120.

So the amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SNELL, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

#### ORDER OF BUSINESS

Mr. COLLIER. Mr. Speaker, yesterday at the request of the gentleman from Texas [Mr. GARNER], I was given permission, at the conclusion of the consideration of this joint resolution, to address the House for 20 minutes. I have since been able to get time during consideration of the rule, and I would like to have that order vacated.

The SPEAKER. Without objection, the order will be vacated. There was no objection.

PROPOSED MERGER OF BETHLEHEM STEEL CORPORATION AND YOUNGSTOWN SHEET & TUBE CO.

The SPEAKER. Under the special order of the House, the Chair recognizes the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, there is now in the course of formation a gigantic steel trust. At this very moment negotiations are pending in the city of Youngstown, Ohio, between the Bethlehem Steel Corporation and the Youngstown Sheet & Tube Co. Everybody in the United States knows what is going on except the Hon. William D. Mitchell, Attorney General of the United States, and he is the one person who should know. There seems to be an utter disregard of the antitrust laws on the part of business and industry in this country to-day. Present business and industry is not to blame. They might have been misled or given a misapprehension of the condition owing to the indifferent attitude of the Department of Justice toward the enforcement of the provisions of the antitrust laws.

Some one has created the fiction of a "good trust." Whether a trust is good or bad under the laws as they exist to-day, any combination in restraint of trade is unlawful. It is the duty of the Attorney General to carefully watch business and industrial mergers to avoid in time combinations in restraint of trade and to take immediate and drastic action where such agreements and mergers are in contemplation or have been formed.

Attention of the House has been called within the last few weeks to contemplated mergers and yet there seems to be an indifference on the part of the Department of Justice toward taking the necessary action to enforce the antitrust laws.

It is not so very long ago (just about 10 years) that the steel industry was very close to an absolute monopoly and so conducting themselves as to be very near the line of operating in violation of law. Only a few months before the Government moved and commenced action against the United States Steel Corporation did they discontinue their practices and unlawful activities.

I refer my colleagues to the case of the United States against United States Steel Corporation and others, reported in Two hundred and fifty-first United States Reports, page 417, and I want to here extend my thanks to the gentleman from Texas [Mr. PATMAN] for his cooperation in analyzing the law on the subject. It will be seen in that case how the Steel Corporation and its subsidiaries changed their practices when the Government commenced action and thus avoided the penalties of the law.

Ten years have passed, the attitude and policy of the Department of Justice has seemingly encouraged the same group to again become active in planning to absorb the entire steel industry in utter disregard of the provisions of existing law.

At this very moment the Bethlehem Steel Corporation is seeking to absorb the Youngstown Sheet & Tube Co. The suave, genial Mr. Charlie Schwab was in Youngstown a few days ago seeking to expedite what he calls the merger, but, what is more, the absorption of the Youngstown Co.

The negotiations are taking on a strange aspect. The very people interested in it and the method of approach are all of such character as to put everyone on his guard, and particularly the Department of Justice.

The Youngstown Sheet & Tube Co.'s directors accepted an offer of the Bethlehem company to take all of their stock at a certain price. There is a difference of opinion as to the sufficiency of the offer made to the stockholders of the Youngstown company. That, however, is a matter which does not necessarily concern us at this time. The stockholders, it is hoped, will be able to look after that end of the bargain. The acceptance of the Bethlehem's offer by the directors of the Youngstown company must now be approved by two-thirds of the stockholders of the latter company. An active campaign is being waged to get the proxies of these stockholders to vote its approval. A meeting of the stockholders is, I understand, to be held within a few days.

Now, whom do we find on the committee seeking proxies to approve this merger between the Bethlehem company and the Youngstown company? No other than Mr. Samuel Mather. And who is Samuel Mather? He is a director of the United States Steel Corporation. Just think of this, gentlemen! Here we have a director of the United States Steel Corporation on the committee to obtain proxies to approve the absorption by the Bethlehem Steel Corporation of the Youngstown company. The Youngstown Sheet & Tube Co. is the largest independent company (next to the Bethlehem, if the Bethlehem company may be considered an independent company at this time) in the United States. The United States Steel Corpo-

ration admittedly now produces 49 per cent of all steel products in the country.

Who is Mr. Mather's able lieutenant and go-between in the negotiations? H. G. Dalton, who is a vice president of the Youngstown Co., but who is also Mather's partner in the Pickands-Mather Co. The Pickands-Mather Co. is engaged in transporting ore and in mining iron ore for both the Bethlehem and the Youngstown companies. It does not require any senatorial investigation or mind reader to see the pressure brought by the Bethlehem Co. on the Pickands-Mather Co. to get busy or else they will put them out of business. Why, the negotiations now going on in Youngstown are so brazen and so daring as to go back to the old days of the Standard Oil activities in ruthlessness and disregard of the public interest and also the stockholders' interest.

Now, what is there about this proposed merger that makes it a matter of public interest? First, the very negotiations disclose that it is being carried on in violation of the provisions of the antitrust laws. Its purpose is to create a combination in restraint of trade, and when the Bethlehem Co. absorbs the Youngstown Co. the largest independent producer is eliminated, and with the connection of the interest of the United States Steel Corporation, through one of its own directors, Mr. Samuel Mather, it is clear that this deal is being carried on with the knowledge and approval, if not the direct interest, of the United States Steel Corporation. It can readily be seen that after this deal is consummated the few remaining steel companies will be at the mercy of the United States Steel-Bethlehem Corporation combination.

We are talking dally of stimulating construction in this country. Everyone knows that one of the largest items in any construction is for the steel framework, the tubing, piping, and other steel products that go into the building. Why, the combination will have my city and every city in the United States at its mercy. We would be guilty of neglect of duty did we fail to protest against these activities. True, our function is legislative, but it is a most unsatisfactory position to be in after the combination is consummated to simply stand up here and say that the Department of Justice has failed to do its duty. The constructive thing to do is to compel the department to act and to act immediately. For this purpose, I have to-day introduced a resolution which, with the permission of the House, I shall read as follows:

Whereas there is a tendency on the part of business and industry throughout the country to merge, centralize, and form trusts; and

Whereas there seems to be a general disregard of the antitrust laws as well as a misapprehension of the attitude of the United States Department of Justice in the performance of its duties in enforcing the provisions of the antitrust laws; and

Whereas in keeping with this general attitude to disregard the provisions of the antitrust laws there is now being conducted by the Bethlehem Steel Corporation negotiations seeking to absorb the Youngstown Sheet & Tube Co.; and

Whereas the persons now active in the said negotiations would indicate that a subtle plan is being formed for the creation of an all-American Steel Trust in that one of the members of the committee now seeking proxies from the unsuspecting stockholders of the Youngstown Sheet and Tube Co., is one Samuel Mather, who is a director of the United States Steel Corporation, and another person likewise actively engaged is one H. G. Dalton, a vice president of the Youngstown Sheet and Tube Co., as well as a director of the Bethlehem Steel Corporation. The said Samuel Mather and H. G. Dalton are partners in the Pickands-Mather Co., which company is engaged in mining iron ore and transporting same for the Bethlehem Steel Corporation and the Youngstown Sheet and Tube Co., and

Whereas all of said action would indicate attempts, agreements, coercion, and plans all in restraint of trade: Therefore be it

Resolved, That the Attorney General be, and hereby is, directed to immediately investigate the proposed merger between the Bethlehem Steel Corporation and the Youngstown Sheet and Tube Co. and determine its legality and the connections and participation, if any, of the United States Steel Corporation in the matter, and to take such immediate preliminary action as may be necessary to prevent the consummation of any contemplated or existing contract for the transfer of stock and property as a part of such merger or unlawful agreement in restraint of trade.

I stated a few moments ago the percentage production of the various companies. To be more specific, in 1929, 46,000,000 tons of steel were produced in this country. Of this amount the United States Steel Corporation produced 22,000,000—you will note just low enough to bring it within the ruling of the Supreme Court in the case I have just cited. The Bethlehem Steel Corporation produced 9,000,000 tons. This combination is 31,000,000 tons—way over 50 per cent. The Youngstown company,

now sought to be destroyed, produced 3,000,000 tons, giving a total production to the United States Steel and the Bethlehem Corporation of 34,000,000 tons out of 46,000,000 if this proposed merger is consummated.

Even if they stop with the absorption of the Youngstown company, they have sufficient percentage of production to absolutely control prices and put the remaining independents out of business.

Gentlemen, I invite the interest of every Member of this House to the extent of looking into the facts of the negotiations I have described. The interlocking interests, the utter disregard of the provisions of the antitrust law, the importance of the steel industry at this time to business and industry, including farming, housing, and the railroads, and the tendency toward the formation of combinations in restraint of trade to the detriment of the people of the United States is such as to require immediate and drastic action on the part of the Department of Justice. [Applause.]

EXTENSION OF REMARKS—PROMOTION OF PEACE, EQUALIZATION OF THE BURDENS AND MINIMIZATION OF THE PROFITS OF WAR

Mr. O'CONNOR of Louisiana. Mr. Speaker and Members of the House, the purpose of the joint resolution under consideration is to create a commission to study and consider the feasibility of equalizing the burdens and to minimize the profits of war together with a study of policies to be pursued in the event of war so as to empower the President immediately to mobilize all the resources of the country. In accordance with the terms of the resolution, the commission shall report definite recommendation to the President of the United States to be by him transmitted to the Congress not later than the first Monday in January, 1932.

In the event that the resolution is enacted into law, the commission created hereby shall be composed of four Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and four Members of the Senate, to be appointed by the President of the Senate, the Secretary of War, Secretary of the Navy, Secretary of Agriculture, Secretary of Commerce, the Secretary of Labor, and five other persons not holding any salaried governmental position with the Federal Government, and selected with a view to represent, in a general way, the views of labor, capital, agriculture, and the professions, respectively.

Mr. HUDDLESTON, of Alabama, offered the following amendment, which was adopted by a very large vote:

Provided that said commission shall not consider and shall not report upon the conscription of labor.

I am glad to say that I voted for that amendment. The bill as amended was adopted almost unanimously by the House.

My purpose in asking the House for permission to extend my remarks upon this subject is prompted largely by a desire to get to my countrymen the reflections of years ago analogous to those that must arise in the minds of every American patriot when he thinks that again on some tremendous day must this generation, or the next or the one following, engage in a grapple that may be a death one with some foe or combination of foes from across one or both of the great oceans that separate us from the European and Asiatic peoples. Let us strive for peace.

But let us never dare forget the lessons taught by more than 3,000 years of the history of the world, which records that during all of that long, long period there were but 230 years of peace, and those years were apparently spent in preparing for the wars that followed them. Let us do everything humanly possible to minimize the chances of war, but let us ever be mindful of the fact that civilization, in fact all government, is based upon the doctrine of force. A nation however high and glorious its civilization, regardless of the eminence that it may have gained as an industrial, commercial, and financial power, will totter to its destruction and fall under the bloody bludgeoning of fate and the lesser breed without the law unless buttressed in, fortified, supported, and made secure by that superior force which alone holds armies, navies, and revolutionists in check and in awe. The nation which forgets that it has grown great and strong by force will soon pass away and be forgotten. Kingdoms by blood gained must be by blood maintained. No country or nation from the dawn of the history to the present time ever climbed the steep where Fame's proud temple shines afar except on the ladder of force.

It would be the last word in hypocrisy and deceit to say that our own country has spread from ocean to ocean in any other manner than through the operation of the law that ruleth earthly things. Does anyone believe that Great Britain has attained the heights to which she has ascended except through

the Navy that now guards the far-flung outposts of the empire on which the sun never sets.

We grew and Britain grew in the same manner and through the same means as did the Eternal City that became the acknowledged mistress of the world. Of course, nothing can withstand the constant and steady stroke of time. The seed of mortality and annihilation is sown in all things, animate and inanimate. The great and the small shall pass and leave not a mark behind. Jupiter and its moons will be dissolved into nothingness with the same certainty in the world of change, as that the song bird will disappear and leave not a vestige behind. Our country, like the individuals which compose it, will yield to the law. So runs the scroll of human destiny, a scroll written in fire and blood and scalding tears. It is scrawled with the wrecked hopes and blasted visionings. The weary record of 10,000 years have not convinced the peoples of the earth of the melancholy fact that in other worlds other laws may prevail, but that here force and force alone prevails in the battle for supremacy that has been waging among tribes and States, since the very dawn of history. Forgetting the law by which they rise, they soon yield to its relentless operation, and in their very ruin attest its power.

But however certain we are that dissolution is the end for all things, we may, by care, diligence, courage, and preparedness, extend our existence far beyond the time that would mark its sunset and end if we carelessly forgot the teachings of history and laid the flattering unction to our souls that our magnificent cities, marble palaces, gilded temples, stupendous bridges, and unimaginable wealth would be sufficient to deter a foe without the gates. Many piously inclined people in our country to-day believe that we are absolutely safe from any and all marauders. Of course, it is just as foolish to believe that skyscrapers would awe an invader as it was for the Chinese to believe they could put to retreat their foes by beating tom-toms and exposing hideously painted and illuminated calabashes.

Let us be prepared. In fact, "Semper paratus," always prepared, is a mighty good slogan to preach and practice; and that American toast of years ago should be kept fresh and green for every generation, "My country, may she live forever and a day; but if she must perish let it not be from internal corruption and decay, but near a battle field of imperishable glory." And let us keep in mind the words of the Great Commoner, uttered in New Orleans on March 17, 1898, to the members of the constitutional convention, then assembled to revise the organic law of Louisiana. Here are a few of the gems of wisdom, pebbles of truth which he flung with a lavish hand and generous mind to the enthusiastic followers who made the air ring with their tremendous applause. They should be read as having a peculiar application to the rapidly moving events in the national life of to-day.

Sometimes they criticize us and say that we were not sufficiently respectful toward the court. Why, my friends, Democrats have always been respectful to the court. And there was nothing to alarm one in the speeches made by our people in defense of that principle of the income tax or in the platform, which expressed the hope that some future court might return to the precedent of 100 years ago. Nothing in speech or platform could be regarded as a reflection upon the court. No; we were careful. Whenever we felt tempted to say anything wrong we read some of the dissenting opinions and then were careful to say nothing quite so strong as they were.

A Republican, Judge Brown, of Michigan, was one of the dissenters. He read a dissenting opinion, in which he expressed the hope that that decision might not prove the first step toward the loss of our liberties in a despotism of wealth. More than that, he said that he feared that in some hour of national danger that decision might arise to paralyze the arm of the Government just at the time when the Government needed a larger revenue for the protection of the Nation's life, and I have wondered if Justice Brown could have had in mind such a condition as that which may confront the American people in the near future.

My friends, suppose, for the sake of argument, this Nation should become involved in war with any foreign nation, what would be the result? Why, our imports would fall off, and as our imports fell off the Government's income would decrease just at the time when the Government needed an increase in its revenues. And what would be the result? In the hour of danger the Government could lay its strong arm upon every able-bodied citizen; the Government could call the son from his mother and husband from his wife. The Government could march its citizens out and place them in front of the enemy's cannon; the Government could call upon its yeomanry to offer up their lives for the defense of the Nation, but it would be powerless to make the rich bear their share of the burden. Not only that, but the very people who by that decision would be exempt from the burdens of war would

be the ones who with their accumulated capital could take advantage of the exigencies of war and grow rich on spoils while the masses fought to save their country, and yet, according to that decision, the Nation would be powerless to subject wealth to its share of the public expense.

That great speech, a brief part of which I have given you, electrified the country and made for the ratification of the sixteenth amendment, and the danger which the great orator warned against was averted. But the underlying philosophy and wisdom of that speech is as good to-day as it was on March 19, 1898. Where wealth accumulates in the hands of the few, the many will decay—and men in decay have not the heart to struggle and die for a land they do not think is worth such a sacrifice.

INTERNATIONAL TECHNICAL COMMITTEE OF AERIAL LEGAL EXPERTS  
(S. DOC. NO. 121)

The SPEAKER laid before the House the following message from the President, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

*To the Congress of the United States:*

I commend to the favorable consideration of the Congress the inclosed report from the Acting Secretary of State to the end that legislation may be enacted authorizing an annual appropriation of a sum not in excess of \$250 to meet the share of the United States of the expenses of the International Technical Committee of Aerial Legal Experts, beginning with the year 1930.

HERBERT HOOVER.

THE WHITE HOUSE, April 1, 1930.

INTERNATIONAL CONFERENCE ON LOAD LINES (S. DOC. NO. 122)

The SPEAKER laid before the House the following message from the President, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

*To the Congress of the United States:*

I commend to the favorable consideration of the Congress the inclosed report from the Acting Secretary of State, to the end that legislation may be enacted authorizing the acceptance of the invitation extended by the British Government to attend an international conference on load lines to be held in London in May, 1930, and further authorizing an appropriation of \$20,000 for the expenses of delegates of the United States to the proposed conference.

HERBERT HOOVER.

THE WHITE HOUSE, April 1, 1930.

THE JUVENILE COURT (H. DOC. NO. 331)

The SPEAKER laid before the House the following message from the President, which was read, and, with the accompanying papers, referred to the Committee on the District of Columbia and ordered to be printed:

*To the Congress of the United States:*

I transmit herewith for the information of the Congress a communication from the judge of the juvenile court of the District of Columbia, together with a report covering the work of the juvenile court during the year ended June 30, 1929.

HERBERT HOOVER.

THE WHITE HOUSE, April 1, 1930.

THE MOTOR BUS BILL

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks on the bus bill that was passed several days ago. I think we have this consent for five legislative days and the time has not expired, but for fear the time has expired, I will ask unanimous consent to extend my own remarks on that subject.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, under the permission granted me to extend my remarks in the RECORD on the bus bill, which recently passed this body, I desire to say, in all frankness, that this is one of the worst pieces of legislation that has ever passed the American Congress. It went through the House on Monday, March 24, and now goes to the Senate.

It was sponsored by certain railroads and bus companies that want to consolidate, or merge, so as to shut out competition, and was shoved through the House under the gag rules now in operation in that body by which full and ample debate on amendments was denied.

If every individual in the United States understood exactly what this bill means there would be such an uprising against it that the Senate would kill it so dead you would never hear of it again.

I am not opposed to railroads, and I am not opposed to interstate bus lines, but I am opposed to monopolies that suppress all competition and paralyze local traffic.

If this bill becomes a law, it will be almost like erecting a concrete wall across public highways along State lines, so far as the great bulk of local passenger traffic is concerned. If this bill should become a law, and an individual should load up his truck, or his school bus, with more than seven of his neighbors including himself and carry them across the State line to a fair, to a ball game, to a trade center, to a farmers' picnic, to church, to a picture show, to a funeral, or for any other purpose traveling on a public highway which he has been taxed to build and maintain, and charge them even enough to pay for his gasoline, without first securing a permit from the Interstate Commerce Commission, he would be subject to indictment in the Federal court.

Read that statement twice, and see what this means to you, your children, your neighbors, your city, or your community.

The Interstate Commerce Commission is two years behind now, and the chances are that an applicant, who is not in the business regularly, would never get a permit; or, if he did, it would be too late for it to be of any use.

I tried to get an amendment adopted to this bill to exempt from its provisions persons operating motor vehicles hired or leased for an occasional trip, in order to protect people living near State lines, but it was voted down. We were shut off with only five minutes' debate on that amendment.

The opposition to the amendment was led by those supporting the bill, and it was defeated by the reactionary element in the House, which showed that those in charge of this legislation were not averse to paralyzing the traffic among citizens of different States in counties, cities, and localities touching State lines.

Not only that, but they adopted an amendment to make it apply to any one attempting to operate a motor vehicle "within any park or reservation under the exclusive jurisdiction of the United States." Therefore, our people are thus excluded from taking their neighbors and others into or through the great national parks of America, or the sacred national battle-field parks or cemeteries of the country, if they receive the slightest compensation for their time, their machine, or their gasoline, without first getting a permit from Washington and complying with regulations which will render it impossible for them to ever secure a permit at all, ninety-nine times out of a hundred.

We are still permitted to pay the taxes to build and maintain these highways, but our people are thus driven from them by the Congress of the United States. For what purpose? In order to turn them over to the interstate bus lines, and the railroads owning interstate bus lines.

This is just one phase of the bill. It also repeals the antitrust laws of the country and wipes out the antitrust laws of the States in so far as they apply to passenger traffic and permits the consolidation of bus lines and the merger of bus lines with railroads.

It requires busses running on regular schedules to secure a "certificate of public necessity and convenience," and before securing it permits the Interstate Commerce Commission to pass on or to fix the rates to be charged. This simply means that all we have gained in developing cheap passenger transportation through the use of motor vehicles within the last two decades will have been swept away, except as to those who travel in their own private cars.

It means the turning over of our highways to the railroads and the large bus corporations, where we will ultimately pay the same fare for transportation we now pay on the railroads, and at the same time be taxed to build and maintain the highways over which they pass.

There was no public demand for this bill. The people of the country were not consulted. If they had been, and had known what was in the measure, there would have been such a barrage of protests pouring into Washington that it would have killed it before it ever left the committee.

The bill now goes to the Senate. Our only chance to defeat it or divest it of any of its sinister provisions is by appealing to the Members of that body.

It is one of the most drastic, the most far-reaching, the most dangerous, the most discriminatory, the most paralyzing, the most unjust, and the most unnecessary pieces of legislation that has ever passed the American Congress, and I want to appeal to patriotic citizens throughout the country to take it up with their Senators and help prevent it from ever becoming the law of the land.

THE TARIFF BILL

Mr. GLOVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the pending tariff bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GLOVER. Mr. Speaker, ladies and gentlemen of the House, the tariff bill is now back in the House after having been considered in the Senate for more than nine months. There were 1,253 amendments adopted by the Senate after this long consideration of it, and many more should have been adopted that were not offered, let alone adopted.

Many of the amendments adopted raised the tariff rates higher than those proposed in the House and many of those adopted only reduced the rates slightly and will be of little help to the consumer. There were some very important amendments adopted, which I shall discuss further on in my address.

Legislation drafted as this bill was and brought into the House and considered under gag rule, as this bill was considered in the House, always carries provisions that no man, however intelligent he may be, can justify or defend. This House at one time was a deliberative body, but can it be said in the way this bill has been forced through under the lash of the leaders on the Republican side of this Chamber that it is now that kind of a deliberative body? I answer as you must answer: "No."

The country ought to know just how this bill was written and how it has been handled in the House by the Republican Party now in control of the House by 102 majority, and if they know it in the next congressional elections as we know it here, there will be many of you that will remain at home in the next session and your places will be filled by men who believe that this is a government of the people, for the people, and by the people and who have the courage to act on that conviction.

This bill, being a revenue measure, had to originate with the Ways and Means Committee, which is composed of 25 men—10 Democrats and 15 Republicans.

A hearing was had before that committee as a whole and the 10 Democrats were permitted to sit with the 15 Republicans in the hearing, but when the hearings were over the 10 Democrats were not permitted to help draft the bill or even to be in the room when it was written.

They were not permitted to offer an amendment to it in the House, even. No Member of the House of 435 Members was permitted to offer an amendment to the bill in the House unless he was one of the big 15.

If every voter who goes to the polls in the next election knew this, I say to you that they would repudiate any man that helped or participated in it. You in the majority party who voted for this gag rule were warned by the Democratic leader, JOHN GARNER, of Texas, before you voted to adopt the gag rule just what you were going to do and just what you did do that prevented the Members of Congress from properly representing their people and to offer such amendments as would take care of their interest in this bill.

The tariff bill of 1922 was the highest tariff bill that was ever written up to that time. There is no justification in the light of reason and fairness to all the people for the high rates carried in it, and which has given the already rich the right to exploit the poor and further to pile up riches. Under it the rich have grown richer and the poor poorer.

Not satisfied with that, they came to this Congress and not only requested but also demanded that their rates be raised to the high level fixed in this bill, which can not be defended as either just or equitable.

It was claimed by the advocates of revision of the tariff that it was to put agriculture on an equality with industry. To have done this would have required the high tariff rates on manufactured goods to be reduced and the tariff rates on agriculture raised. Instead of doing this they have given in this bill the highest rates ever proposed on manufactured products and a slight increase on agricultural products. I would be glad to support the rates on agriculture, and to vote for a reduction on the rates now enforced on manufactured products. Where this tariff bill helps a farmer to the amount of \$1 it takes away from him \$5 on the increased prices he has to pay on the manufactured products he has to buy, and his dollar has further lost its purchasing power.

That is the trouble now with the farming class, he gets but few dollars for what he produces and when he goes to buy the necessities for the family the prices are so high his dollar will buy but little.

The Senate has placed the debenture amendment on this bill, which will materially help the cotton grower if it is put into effect. The amendment giving a debenture of 2 cents per pound on lint cotton would be \$10 per bale weighing 500 pounds. If you would give cotton farmers \$10 more per bale on his cotton than he is now getting, it would materially help.

The debenture is not a bounty, as some try to contend, but it is defined by Webster as a "drawback." Let us, if we can,

illustrate how it would work. There is now a tariff on wheat of 42 cents per bushel when collected. The debenture on all articles of agriculture except cotton, on which there is no tariff, is one-half of the tariff, and the farmer who grew the wheat would get back on his debenture certificate 21 cents per bushel, or the same amount the Government gets. The farmer grew it and sold it and made it possible for the Government to get its 21 cents per bushel. Then why not let him have at least half of what he produced for the Government? If you call that a bounty for the farmer, the other is bounty for the Government.

Another amendment put on by the Senate should be retained, and that is doing away with the flexible provision which gives the President the right to raise or lower the tariff 50 per cent. This is a dangerous power, and should never be delegated to one man.

The power to tax is the power to destroy. With this power given to the President he could make or break any corporation at his will. He could impoverish the people at his will. Congress alone under the United States Constitution has a right to levy and collect taxes, and God knows it has abused this privilege enough without delegating it to some one else to further abuse it.

President Hoover opposes the debenture, which is in the interest of the farmer, and wants to retain this power to raise a tariff. Why? Let him answer to the people.

The Tariff Commission has prepared estimates of the cost of the debenture to the Government if the Norris-Simmons amendment is retained in the tariff bill. The burden on the Treasury would be a direct benefit to farmers. The certificates, the commission says, would be distributed as follows:

On agricultural commodities and manufactured food products, \$89,063,140; tobacco and tobacco manufactures, \$103,952,368; cotton and cotton manufactures, \$86,741,393.

It is pointed out by the commission that if exports of farm products should increase the amount that would be paid in, certificates would also increase. Similarly, a reduction of exports would mean a corresponding reduction of the certificates.

This tariff bill will add at least an extra billion of dollars that must be paid by the consuming public that is now taxed to the point of endurance.

#### BANK FOR INTERNATIONAL SETTLEMENTS

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD a copy of an address which I delivered over the radio last Thursday evening.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McFADDEN. Mr. Speaker, under leave to extend my remarks in the RECORD, I present an address delivered by me as the fifth of a series of patriotic broadcasts under the auspices of the national society of Daughters of the American Revolution, Thursday night, March 27, 1930, as follows:

The Daughters of the American Revolution is a national women's organization with an ever-growing influence for nationalism and patriotism as against socialism, internationalism, paternalism, and pacifism; and I am delighted to speak to you under their auspices this evening.

The full force of European propaganda influences, now apparent in our country, is intended to mislead the American people into believing that there is no harm, nor anything to be sacrificed, in the doctrine of internationalism. The Daughters of the American Revolution, who are firm believers in national independence, constantly advocate adequate national preparedness against war and invasion, and are unalterably opposed to disruptive international influences. They are truly in accord with the admonitions enunciated in George Washington's Farewell Address wherein he warned against "the insidious wiles of foreign influence" and proclaimed that "as a free people, we ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government." Washington particularly cautioned Americans against any involvement of this country in the political system of Europe as a certain menace to American peace and welfare.

The outbreak of the World War in 1914 foreshadowed necessary co-operation between the United States and the allied countries to win against Germany. This cooperation was greatly accelerated in 1917 when it became necessary for us to enter actively into the war. Serious entanglement was, however, avoided at the outset—thanks to Gen. John J. Pershing—when he demanded that the American troops on the battle fronts should be maintained independently as fighting American units under American generalship, instead of intermingling or losing their identity with the armies of the allied countries as was sought by the European allied leadership. The wisdom of General Pershing's course has subsequently been fully demonstrated.

Later on we were confronted with what might have been an even more sinister and dangerous entanglement with Europe. I refer to the participation of President Wilson in the negotiations leading up to the armistice and the appointment of American delegates to the peace con-

ference which wrote the treaty of Versailles, itself a culmination of the insidious wiles of European politics. But, fortunately for America, the treaty of Versailles was rejected by us, although the organization of the League of Nations was effected by our former allies. Since that time there has been no discontinuance of insidious efforts to persuade the United States to join the league. Many proposals have been made repeatedly toward that end. Fortunately all have thus far been refused.

More recently we entered into the Kellogg-Briand pact, intended to render war obsolete. The folly of this step has been manifested in the deliberations of the present so-called disarmament conference in London. We shall do well if before this conference ends we are not running grave risks of fresh involvement in European affairs.

Two opposing principles since the World War have been contending for control of our national policy, namely, nationalism and internationalism, with the result of the struggle still in the balance. In this controversy the internationalists have the offensive; the nationalists the defensive, for theirs is the traditional policy of the United States, and they are therefore holding the citadel erected by Washington. The present form of internationalism has no precedent in history.

It contemplates the abandonment of national sovereign power to international sovereign power. The struggle is being waged in the fields of politics, economics, and finance. It is in the financial field that the attacks of the internationalists are more dangerous, in that they are more subtle and their purpose, therefore, less obvious.

The insidious arguments for adhesion to the League of Nations and the World Court all assert that such a union of the United States with Europe and the rest of the world will banish war, that the decisions of the league and the court will have such authority that the world thereafter will be kept in order by peaceful means. In my judgment, the independence and safety of the American people will, however, be best subserved by remaining outside of the League of Nations and the World Court. Only thus may questions arising between Europe and the United States be clearly defined and settled.

Even more dangerous, I believe, than proleague propaganda is that which, under the guise of private banking transactions, would tie up the United States with Europe economically and financially.

The international bankers of New York City are the most powerful in our domestic banking system. Their influence largely determines the character of the investments in which the American people put their savings. New York City is the great security and investment market of the country. Vast issues of stocks and bonds are put out there and the sponsors of these securities have the confidence of the general investing public.

The enormous investment in European securities since the war has been made in this way. The investors have little direct knowledge as to the safety of their investment. The high interest yield attracts them and their bankers assure them security is good. Thus having confidence in the advice of the international bankers, they do not hesitate to buy these securities.

In the particular international situation at present confronting us, the leading international banking house is J. P. Morgan & Co., the most dominant banking influence to-day in the world. They are not only a potential influence in Federal reserve operations in this country, but are the fiscal agents of Great Britain, France, Belgium, and Italy; and now that the State Department has forbidden any participation on the part of the Federal reserve banking system in the organization or operation of the Bank for International Settlements, J. P. Morgan & Co. have assumed that representation in so far as this country is to participate therein. To thoroughly understand just what this means, we must go back to the year 1916 when these relationships were enlarged so as to include the Federal Reserve Bank of New York and the Bank of England in conferences which have subsequently continued up to the present time.

The beginning of these conferences attracted no particular attention and assumed no proportions of importance other than the carrying out of the necessary arrangements as were incident to the financing of the gigantic operations necessary to win the war. It has, however, furnished a basis for a continuance of meetings between the heads not only of the Bank of England and the Federal Reserve Bank of New York but of the principal central banks of Europe, which since the close of the war has included the Reichsbank of Germany.

The first definite knowledge had by the Congress that our Federal reserve banking system was becoming involved in European financial affairs was when the governor of a Federal reserve bank appeared before the House Banking and Currency Committee and stated that the 12 Federal reserve banks had granted a gold loan or credit of \$200,000,000 to the Bank of England, which loan was guaranteed by a special act of Parliament by the British Government.

The consummation of this particular loan had given definite assurance to European central banks that our Federal reserve system had been made readily available for their assistance. Thus, was established a dangerous precedent to mark further cooperation between the Federal Reserve Bank of New York and European banks. Since then it has been made known that our Federal reserve banks are participating in

the granting of other loans to other foreign banks. It has also been ascertained that these negotiations are usually carried on by the governor of the Federal Reserve Bank of New York jointly with the private banking house of J. P. Morgan & Co. acting in the capacity of fiscal agents.

The 12 banks comprising the Federal reserve system are the custodians of the legal cash reserves of the over 8,000 member banks comprising the system. The loanable funds of the Federal reserve system are made up of its capital stock, surplus, and profits, and the deposits, representing the legal reserve. This system was created to serve the people of the United States and there was no intention on the part of the creators of this system that it would be permitted to loan its reserves to a foreign bank or government.

The climax of these international bank relationships was reached in the summer of 1927 when the heads of the central banks of the major countries of Europe came to the United States and held one of their confidential meetings with the officers of the Federal Reserve Bank of New York. This conference lasted for a period of two weeks. The results of this conference were made known to the Federal Reserve Board in Washington. At this conference a definite change of policy on the part of the Federal reserve system was declared. Immediately the discount rate was lowered to 3½ per cent and large amounts of money were released into the money market through active operations in the open market causing the release of a large volume of credit which resulted in the export of over \$500,000,000 worth of gold to Europe. Thus was carried out the scheme of the foreign bankers to get a further grip on our banking resources. In order to make sure the carrying out of this plan for the financial relief of Europe, an excess amount of credit was released which resulted in the beginning of the orgy of speculation that continued unrestricted through the year 1928 up until the disastrous panic of last October.

It will be remembered that it was decided at Geneva, Switzerland, in January, 1929, that a committee of experts should be appointed and report a plan for the final settlement of the reparations question. This was the committee which assembled at Paris on February 11, 1929, and became known as the Young committee. Strenuous diplomatic efforts were made to induce President Coolidge to appoint American experts to this committee. This he refused to do, whereupon the interested European governments appointed Mr. J. P. Morgan, Mr. Thomas W. Lamont, Mr. Owen D. Young, and Mr. Thomas N. Perkins. They did not represent the United States. The result of their efforts brought forth the Young plan which had embodied therein the suggestion for the Bank for International Settlements and authorized the appointment of a committee to work out the plans for the organization of the bank and designated Mr. Jackson E. Reynolds, president of the First National Bank of New York, and Mr. Melvin A. Traylor, president of the First National Bank of Chicago, with other European delegates who met at The Hague and have just recently completed the organization set-up of the Bank for International Settlements. This meeting was presided over by Mr. Jackson E. Reynolds as chairman. The Young plan was fully adopted and has been ratified by the German Reichstag and is now being debated in the House of Deputies in Paris.

Upon the completion of the organization of the bank, the board of directors, representing the several participating countries, were agreed upon, and Gates W. McGarrah resigned his position as chairman of the board of the Federal Reserve Bank of New York and accepted the presidency of the Bank for International Settlements. The other director in the United States who was invited and accepted is Leon Fraser, a New York attorney, formerly counsel for the Dawes commission.

Lord Melchett, one of the leading financial authorities in England, asserts that the Bank for International Settlements can not succeed without the full force of American participation. Nearly 50 per cent of the world's gold now belongs to the people of the United States. These internationally minded men who are attempting to direct our participation in international political, economic, and financial affairs know the importance of the mobilization of our financial resources with the financial resources of Europe through the Bank for International Settlements and through the sale of billions of dollars' worth of German reparation bonds to our people here in exchange for our gold. They know that these entangling alliances will eventually drag us into the World Court, the Bank for International Settlements, and eventually into the League of Nations.

Apparently Federal reserves' participation in the Bank for International Settlements is, through an edict of the State Department, to be by and through the firm of J. P. Morgan & Co. This action of the State Department in forbidding any further participation by the Federal reserve banking system in the Bank for International Settlements turns over to the Morgan firm one of the most valuable franchises which any private banking house in the world has ever possessed. It is of more than passing interest when you consider the fact that they are the fiscal agents for the leading countries whose central-bank officers are the directors of the Bank for International Settlements.

It is apparent to close observers in this country that it is the policy of those who are promoting the organization of this bank to minimize its

functions and purposes as was recently done in an address by Owen D. Young, delivered this week in California, which is quite in contrast to a statement made in England on March 6 by Sir Charles Addis, a director of the Bank of England, chairman of the Hong Kong and Shanghai Bank, and a director of the Bank for International Settlements. When speaking at Cardiff, England, to the Cardiff Business Club, he said that one of the primary but not one of the most important functions of the bank would be to collect and distribute German annuities. He further declared that we would have to wait until we saw what the bank did before describing what it was; that until then they would have to describe it as a cooperative undertaking by the central banks of the reparation countries. He further stated that great importance was attached to the task of the bank in promoting cooperation between central banks, which he regarded as essential for the preservation of the international financial structure; that it was this task that he conceived the most salutary and beneficial influence of the new bank; and that it was possible to conceive with an institution of this kind some kind of association—a financial league of nations in which the central banks should be leagued together alongside the political institutions as a powerful adjunct for promoting international peace.

I would ask you now to contrast this last statement with the statement in the speech of Owen D. Young to which I have just referred as follows:

"The question has been raised whether the League of Nations and the Bank for International Settlements might not unite their forces. The league represents international political cooperation and the bank international financial cooperation. Well, if that means that the bank will come under the domination of the league and so there will be added to the political forces of the league the financial resources of the bank, I think we may dismiss once and for all our fears if we are opposed to the league, or our hopes if we are its proponents."

When we have such conflicting statements from two such competent authorities, what are we to believe?

I think that we Americans should be very grateful to Sir Charles Addis for his clear definition of the purpose to be served by this bank. He has substantiated what I have charged heretofore was back of this proposal for this bank; that is, that it is a proposal to head up the financial division of the League of Nations.

The bank, as now constituted, is authorized not only to collect and remit the reparation payments but is to continue the cooperation between the central banks of the world. As soon as the organization is perfected and the bank is opened, almost the first business will be to supervise the issuance of \$300,000,000 worth of reparation bonds. Out of the proceeds of the sale of this issue, \$100,000,000 is to be paid to Germany and \$200,000,000 paid to France. It is understood that the major portion of this latter amount is to be used to refund loans which France has made through the house of J. P. Morgan & Co. Accredited authorities estimate that the United States is to absorb within the next five or six years between five and six billion dollars' worth of these German reparation bonds. Why should the people of the United States assume the debt that is now owed by Germany to the European allied countries, particularly when the legality of these bonds is seriously questioned? I have definitely raised the question of the legality of these reparation bonds and am calling upon the State Department to advise the American investors as to whether or not these commercialized German reparation bonds are legal. These bonds will be offered through the Bank for International Settlements and under the direction of J. P. Morgan & Co. in this country.

The agreement signed by Germany under the Dawes and Young committees is held by good authority to be void in law. The records show that in April last, while the committee was sitting, there was an extraordinary flow of gold out of the German Reichsbank to Paris, New York, and London. So great and rapid was this outflow that a currency panic manifested itself in Germany and a flight from the mark like that of 1923 was threatened. Hjalmar Schacht, president of the Reichsbank, who was Germany's representative at the Young conference, informed the industrialists of the Ruhr that there was no alternative but to sign the agreement and it was to prevent catastrophe in Germany that the German delegates signed the Young report.

The late Herr Stresemann, the leading statesman of Germany, pointed out the illegality of this agreement and stressed the point that Germany would only pay for 10 years. Only this week, during the debate in Paris, where the Young plan is up for ratification, the French right chief, Louis Morin, in assailing the Young plan exclaimed: "Without counting the consequences, we are abandoning every guarantee, and in return we not only get nothing but we are left at the mercy of the international commissions in which France will be a minority." He asked, "Who does not view with anxiety the possibility of Germany's suspension of payments and a moratorium being settled by the committee of the international bank in which we have only 3 representatives among the 28?"

He demanded, "Who can accept without indignation that the entire benefit of the reductions made by the United States in the debt settlements shall be passed over to Germany? Who even has confidence that

the international bond issues will be continuously successful even if the first one is a success, which is doubtful? Who does not look with misgiving on the installation by the world bank of a formidable financial power free from all governmental control, capable of influencing international affairs of all nations by exerting economic pressure?"

This statement clearly indicates that France understands that the influence of the house of Morgan is going to dominate the future of the Bank for International Settlements. I am told that the signature of France to the Young pact was secured by the promise that they would receive \$200,000,000 out of the first flotation of reparation bonds.

Those who have followed the course of the history of German reparations can but conclude that the framers of the treaty of Versailles visualized fully the fact that Europe had lost most of its liquid wealth to America, and that by certain provisions in that treaty they hope to turn world history aside.

Do not forget that the league was designed for three things: First, to disarm the United States and transfer to either the league or the four dominant members of its council the war-making powers of Congress; second, to persuade the United States to obey the decisions of its advisory court, made in advance of the issue in the absence of positive treaty agreement, and allow such decisions to fix the status of international practice in dealing with every question involving the policy of the open door and commercial spheres of influence; and, third, to induce the United States to furnish its central banking resources and its gold to create a revolving fund to be used in the organization of a world bank to stabilize the finances of its council members.

I desire to warn the American people of the danger in this newly proposed association in this Bank for International Settlements and against absorbing these illegal reparation bonds, and to warn American bankers who are custodians of trust estates not to trade these sacred estates, which belong to American widows and orphans, for these securities. Should Germany ever repudiate these securities, that would tend to involve us in European political, economic, and financial affairs.

#### TARIFF ON DAIRY AND FARM PRODUCTS

Mr. McFADDEN. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD in connection with the tariff bill, which goes to conference to-morrow.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McFADDEN. Mr. Speaker, the Senate has now passed the tariff bill and the first of the week, from present indications, the House will be called upon to appoint conferees to work out an agreement of the differences between the House and Senate tariff bills. Many changes have been made in the bill since it left the House. Because of the fact that the conferees will be engaged almost immediately in the consideration of these differences, I desire to point out a condition of distress that has developed among the eastern dairying interests which affects seriously the district that I have the honor of representing in Pennsylvania.

Since time immemorial, all departments of agriculture, State and Federal, every farm paper, and every farm organization, in their advice to the dairyman have advocated increasing the dairy herd. As a result, dairy cows were sought everywhere. Expeditions were made into Canada and the Northwest, and hundreds of carloads of Canadian and northwestern cows were brought into the dairying sections of Pennsylvania, New Jersey, New York, and New England.

The newly created Federal Farm Board, through their press reports, have recently advised the dairy farmers that our country has overproduced, that the dairymen should weed out and dispose of light producing cows and consume more dairy products at their own tables. Suddenly, in fact, overnight, and without any warning whatever, the American dairyman is told bluntly that we are overproduced and that a retrenchment policy must go into effect.

I realize that we are in the midst of a great economic disturbance, but I want to point out that the United States has not overproduced in dairy products, and I question whether they ever will. What has happened is that we are overstocked with dairy products, the result of importations of Canadian sweet cream, which at this season of the year, together with light dairy products, and so forth, is amounting to approximately 50 carloads a week to eastern sea points alone, to say nothing of the importations to the various points of entry from Buffalo to Seattle, Wash. I would remind you that this vast volume of cream has been permitted to come into the United States daily without interruption during the past six months, making an already bad situation much worse.

Hundreds of eastern milk plants have had no market for their milk and cream and as a result were compelled, in order to fulfill their contracts with dairymen, to make cheese, which commodity admittedly means the lowest source of revenue possible to the dairy farmers.

The encouragement given our people to purchase oleomargarine and other substitutes, in lieu of butter or other wholesome dairy products, is a contributing factor in that over 300,000,000 pounds of oleomargarine alone was consumed in the United States during the calendar year of 1929. As you know, approximately 18 per cent of this immense volume is the product of the American dairyman, the other 82 per cent being the product of the Tropics—coconut and other oils. The House recently went on record in favor of remedying this situation, but something more must be done to save the dairying interests in the north-eastern part of the United States.

I would not make the foolish suggestion for the complete abolishment of oleomargarine and butter substitutes, but they should be clearly marked and labeled to show exactly what the contents of the package is and not be permitted to be sold in competition as butter.

For the first time in tariff history the dairy tariff rates in the Senate bill are reasonably adequate and bear a logical relationship one to the other. That is to say, they are fairly well equalized with respect to the value of butterfat content and value of skimmed milk.

The House rates are not adequate and will not give dairy farmers relief. The Senate rates will undoubtedly afford a real measure of protection with respect to Canadian competition which has become a matter of considerable importance especially to our dairy farmers in the New York, Philadelphia, and New England milk sheds.

The importations of dairy products into this country at the present time are aggravating the market problem for dairy farmers since dairy stocks on the 1st of March were equivalent to 2,076,423,300 pounds of whole milk as compared with dairy stocks on the 1st of March a year ago which were equivalent to 1,218,660,000 pounds of whole milk. These stocks were as follows:

	Mar. 1, 1930	Mar. 1, 1929
	Pounds	Pounds
Creamery butter in storage.....	46,513,000	11,910,000
American cheese in storage.....	47,879,000	49,546,000
All other cheese in storage.....	14,027,000	14,422,000
Condensed and evaporated milk in manufacturers' hands.....	192,236,000	131,548,000

The relatively large quantity of dairy products unmarketed is due to two causes:

First. A slight increase in the volume of milk produced. This increase, if the country were in a normal condition, would be just about sufficient to keep pace with the consumptive demand of our increasing population.

Second. Underconsumption as compared with a year ago. This underconsumption is, no doubt, due to increased unemployment in certain of our great industrial centers. Studies made by the experts of the Department of Agriculture show that the rate of consumption of dairy products in some sections is higher than others at the present time. The underconsumption is notable in New England, for example.

But this situation has resulted in serious price declines for dairy farmers all over the country. For example, the price of 92-score butter during the month of March within a period of two days declined from 51 cents to 34 cents on the New York market. Prices of fluid milk have had to be readjusted downward; but even at the lower scale of prices which have prevailed this year the consumption of butter is apparently only equivalent to that of last year for the months of January and February, and in view of this it was even lighter.

Conditions of this character demand immediate relief. While our dairy farmers are having to make sacrifices in prices, and our dairy distributors are having to turn a large volume into manufactured products which can be stored, we are permitting every form of dairy product to enter this country at very low tariff rates. The average ad valorem equivalent of dairy products imported under the act of 1922 was only 24.87 per cent. If the Senate rates are accepted by the House, the average will be 40.70 per cent ad valorem. This calculation is based upon the value of the imports for consumption in the year 1928—the only year for which verified official data are available—which totaled \$33,655,390.

It is interesting to note, however, that our general imports of dairy products for the year 1928 totaled \$37,906,430 and were equivalent to 1,915,316,487 pounds of whole milk. Likewise, in 1929 our general imports, which amounted in value to \$33,738,067, were equivalent to 1,806,453,179 pounds of whole milk. Details of these imports are shown in the following table:

(Imports of dairy products into the United States for the calendar years 1928 and 1929)

Source: Monthly Summary of Foreign Commerce into the United States, U. S. Department of Commerce, December, 1929, Pt. I)

	1928		1929	
	Quantity	Value	Quantity	Value
Cream, gallons.....	3,620,932	\$5,897,726	2,960,889	\$5,194,482
Milk, gallons.....	5,632,231	996,510	4,245,833	794,991
Milk, condensed and evaporated, unsweetened, pounds.....	1,477,941	111,953	2,013,634	173,505
Milk, condensed and evaporated, sweetened, pounds.....	1,130,539	94,115	620,423	60,244
Milk powder, in pounds.....	3,895,237	664,231	4,185,675	769,093
Cream powder, malted milk, etc., pounds.....	1,163,584	109,238	1,047,761	104,044
Butter, pounds.....	4,659,288	1,659,402	2,772,746	1,036,378
Cheese, pounds.....	81,402,745	24,695,314	76,381,795	22,282,200
Casein, pounds.....	28,651,215	3,677,941	27,583,339	3,323,130
Total value.....		37,906,430		33,738,067

Comparing the equivalent of whole milk imported with our unmarketed stocks amounting to approximately 2,000,000,000 pounds of whole milk, it is safe to conclude that if the Senate rates were put into effect at an early date, it would make it so difficult for much of the foreign dairy products to come in, that consumption would readily reduce the excess stocks amounting to about three-quarters of a billion pounds of whole milk, and bring the country once more to a condition where consumption and production of dairy products are practically evenly balanced. This would stimulate prices of dairy products and perhaps bring them back to their normal of a few months ago.

With respect to Canadian imports the Senate bill shows a marked improvement over the House bill by placing the dividing line between milk and cream at 5½ per cent butterfat content instead of 7 per cent, which was in the House bill. By doing this the Senate has minimized the possibility of shippers bootlegging cream into the United States in the guise of milk. As the Senate bill increases the rate of duty on fresh and sour milk from 2½ to 6½ cents per gallon, it would have been a real opportunity for profitable bootlegging of cream in the guise of milk across the Canadian border. A shipper could easily separate one-half of his milk, put the cream from it into the un-separated milk and bring the total shipment from a total butterfat content of 3.4 per cent—the average butterfat content of Canadian milk—up to 6.8 per cent, thus shipping into this country twice as much cream in a gallon of milk as they formerly shipped in 2 gallons.

In this way he could avoid the payment of 6½ cents per gallon on the separated cream. Milk can be separated for a fraction of a cent a gallon. It would have been quite profitable for the shipper, particularly the small-can shipper who brings milk across the border, to have had this opportunity even though the practice itself is illegal.

Special mention should be given to the fact that the Senate bill also is an improvement over the House bill, with respect to the protection given our dairy farmers against imported casein. Casein is one of the easiest ways of disposing of skimmed milk, and can be made easily in most creameries and milk plants.

At the present time approximately twenty-eight and a half million pounds of casein are annually imported from the Argentine, where production costs are very low, particularly as to skimmed milk out of which casein is made. When the United States Tariff Commission investigators a few years ago went to the Argentine to make a comparison of the cost of producing casein in that country and in the United States, they found that the market price of whole milk was approximately 72 cents per 100 pounds. This price, of course, is so far below the lowest market price in the United States that it becomes apparent there must be a real protection given against any milk products from the Argentine, if the American dairy industry is to be conserved.

The organized dairy cooperatives of the United States supported by the principal agricultural organizations sought a duty of 8 cents a pound. The House bill made no change in the duty, leaving it at 2½ cents as provided in the act of 1922. The Senate Finance Committee reported a duty of 3½ cents. The Senate adopted a rate of 5½ cents. While this rate is not satisfactory to dairy farmers, it still will afford some measure of protection, and will tend to equalize the present enormous advantage enjoyed by the Argentine exporters with respect to this product.

The total annual imports of casein from Argentina displaces more than a billion pounds of skimmed milk. The utilization of skimmed milk is becoming one of the serious problems confronting the dairy industry, particularly as a result of the increasing use of fresh cream and the tendency of many dairy districts to make butter out of the whole milk instead of separated cream. Where the milk is separated in the creamery many of the farmers do not elect to have their skimmed milk returned because of the cost of haulage, and this brings a problem to a creamery of manufacturing it into some readily available form.

The two chief uses for skimmed milk are as powdered skimmed or as casein, and the price return under normal conditions is about the same to the milk-plant operator for either. At the present time the powdered milk market, especially the spray-powder milk market, has suffered serious price declines due to an increase of unmarketed stocks. Plants of this character need the domestic casein market as an alternate outlet for their activities.

Cooperative milk plants such as those operated by the Dairy-men's League, the Land O'Lakes Creameries, the Twin City Milk Producers' Association, and others can translate directly back to their membership the price returns for skimmed milk when marketed in that form. I therefore hope earnestly that the House will accept the Senate rates on casein as well as on all the rest of the dairy products.

I desire also to call your attention to the need of sufficient duty on hay. The present lack of proper duty on hay not only affects the dairying interests in my section but affects those other farmers who are not specifically engaged in dairying. At the request of my constituents, I had this matter up with the Ways and Means Committee as far back as November, 1927; and in June, 1928, I called the situation to the attention of the United States Tariff Commission and was advised by them that they had decided to make a special study of the competitive conditions in the industry so that Congress would be fully informed in the drafting of the next tariff bill, this study to include examination of the method of production in the United States and Canada, the quantity produced, the import prices, and other competitive conditions.

On May 17, 1929, I appeared before the Ways and Means Committee and urged them to raise the duty on hay to \$6 a ton. However, the House bill provided only \$4 a ton duty. The Senate increased this duty to \$5 a ton, and the Senate provision should prevail.

At the same time, May 17, 1929, I also urged the Ways and Means Committee, who then had under consideration the dairy schedules, to raise these schedules to an amount that would protect the dairying interests of the country, and also stressed that the duty on white potatoes be increased from 50 cents to 80 cents, and that there be a proper duty imposed on the importation of buckwheat. The present tariff bill provides for a 25-cent duty per 100 pounds on buckwheat, and on buckwheat flour and grits or groats one-half of 1 cent per pound. The present bill provides for 25 cents a bushel on corn and 50 cents a hundred pounds on corn grits, meal, and flour, and similar products. The House bill provides for 15 cents on oats; the Senate provides 16 cents per bushel. The Senate provision should prevail.

#### ORDER OF BUSINESS

Mr. COLLINS. Mr. Speaker, I would like to ask the majority leader when we will take up the Private Calendar?

Mr. SNELL. It is expected the Private Calendar will be taken up on Friday of this week.

Mr. GARNER. Why does not the gentleman ask for unanimous consent now to take it up at that time?

Mr. SNELL. Mr. Speaker, I ask unanimous consent that it be in order next Friday to take up bills on the Private Calendar, unobjected to, beginning at the star.

The SPEAKER. The gentleman from New York asks unanimous consent that on next Friday it may be in order to take up bills on the Private Calendar unobjected to, beginning at the star.

Mr. RANKIN. Mr. Speaker, reserving the right to object, can the chairman of the Rules Committee give us any idea when we will take up the veterans' bill?

Mr. SNELL. I have given the gentleman that information several times, as well as I can, and the gentleman knows it.

Mr. RANKIN. I thought that the gentleman could give me some more information—that he might enlighten us a little further.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### ADJOURNMENT

And then, on motion of Mr. SNELL (at 5 o'clock p. m.), the House adjourned until to-morrow, Wednesday, April 2, 1930, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, April 2, 1930, as reported to the floor leader by clerks of the several committees:

#### COMMITTEE ON COINAGE, WEIGHTS, AND MEASURES (10.30 a. m.)

To authorize the coinage of 50-cent pieces in commemoration of the one hundred and twenty-fifth anniversary of the expedition of Capt. Meriwether Lewis and Capt. William Clark (H. R. 4192).

To establish an assay office at Dahlonga, Lumpkin County, Ga. (H. R. 6998).

To authorize the coinage of 50-cent pieces in commemoration of the sesquicentennial of the surrender of Cornwallis at Yorktown (H. R. 11008).

#### COMMITTEE ON INDIAN AFFAIRS (10.30 a. m.)

To provide that certain laws of the United States shall not apply to Indians and Indian reservations within the State of New York (H. R. 9720).

#### COMMITTEE ON THE POST OFFICE AND POST ROADS—SUBCOMMITTEE NO. 2 (10 a. m.)

In respect to rates of postage on semiweekly newspapers (H. R. 4853).

To provide that the rate of postage on semiweekly newspapers deposited in a letter-carrier office for delivery by its carriers shall be the same as the rate on weeklies (H. R. 6872).

To authorize the Postmaster General to prescribe certain regulations for the acceptance and delivery of prepaid first-class matter without stamps affixed (H. R. 9891).

To provide for the classification of extraordinary expenditures contributing to the deficiency of postal revenues (H. R. 10344).

#### COMMITTEE ON APPROPRIATIONS (10.30 a. m.)

Legislative appropriation bill.

#### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE (10 a. m.)

To provide for the return of unused premiums collected on policies issued on the lives of seamen during the World War (H. R. 722).

#### COMMITTEE ON WORLD WAR VETERANS' LEGISLATION—SUBCOMMITTEE ON HOSPITALS (10.30 a. m.)

To consider proposals for the establishments of veterans' hospitals in New York and Ohio.

#### COMMITTEE ON BANKING AND CURRENCY (10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

#### COMMITTEE ON THE JUDICIARY (10 a. m.)

Proposing an amendment to the Constitution of the United States (H. J. Res. 114, H. J. Res. 11, H. J. Res. 38).

Proposing an amendment to the eighteenth amendment of the Constitution (H. J. Res. 99).

Proposing an amendment to the Constitution of the United States providing for a referendum on the eighteenth amendment thereof (H. J. Res. 219).

Proposing an amendment to the eighteenth amendment of the Constitution of the United States (H. J. Res. 246).

#### COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS (10 a. m.)

To authorize the extension of the natural history building of the United States National Museum (H. R. 11094).

To authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C. (H. R. 11144).

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. SNELL: Committee on Rules. H. Res. 197. A resolution sending to conference H. R. 2667, the tariff bill; without amendment (Rept. No. 1040). Referred to the House Calendar.

Mr. HAUGEN: Committee on Agriculture. S. 108. An act to suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities in interstate and foreign commerce; with amendment (Rept. No. 1041). Referred to the Committee of the Whole House on the state of the Union.

Mr. PARKER: Committee on Interstate and Foreign Commerce. H. R. 11046. A bill granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at or near Stillwater, N. Y.; with amendment (Rept. No. 1042). Referred to the House Calendar.

Mr. KELLY: Committee on the Post Office and Post Roads. H. R. 8649. A bill to authorize the Postmaster General to collect an increased charge for return receipts for domestic registered and insured mail when such receipts are requested after the mailing of the articles; with amendment (Rept. No. 1047). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLY: Committee on the Post Office and Post Roads. H. R. 11096. A bill to provide a postage charge for directory service; with amendment (Rept. No. 1048). Referred to the Committee of the Whole House on the state of the Union.

Mr. PORTER: Committee on Foreign Affairs. H. J. Res. 248. Joint resolution authorizing an appropriation for the expenses of the arbitration of the claim of Charles J. Harrah against the Government of Cuba; without amendment (Rept. No. 1049). Referred to the Committee of the Whole House on the state of the Union.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. IRWIN: Committee on Claims. H. R. 886. A bill for the relief of Homer J. Williamson; without amendment (Rept. No. 1043). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 3644. A bill for compensation in behalf of John M. Flynn; with amendment (Rept. No. 1044). Referred to the Committee of the Whole House.

Mr. GUYER: Committee on Claims. H. R. 5526. A bill for the relief of Fred S. Thompson; without amendment (Rept. No. 1045). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 6668. A bill for the relief of Peter R. Wadsworth; without amendment (Rept. No. 1046). Referred to the Committee of the Whole House.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KOPP: A bill (H. R. 11273) to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. BEERS: A bill (H. R. 11274) to amend section 305, chapter 8, title 28 of the United States Code relative to the compilation and printing of the opinions of the Court of Customs and Patent Appeals; to the Committee on Printing.

By Mr. BRUNNER: A bill (H. R. 11275) to refund taxes on cigarettes donated to veterans in hospitals; to the Committee on Ways and Means.

By Mr. JAMES (by request of the War Department): A bill (H. R. 11276) to provide for reimbursement of appropriations for expenditures made for the upkeep and maintenance of property of the United States under control of the Secretary of War, used or occupied under license, permit, or lease; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 11277) authorizing the erection, maintenance, and use of a banking house upon the United States military reservation at Fort Lewis, Wash.; to the Committee on Military Affairs.

By Mr. LANKFORD of Virginia: A bill (H. R. 11278) to authorize the acquisition of certain land required by the United States Bureau of Lighthouses; to the Committee on Interstate and Foreign Commerce.

By Mr. LETTS: A bill (H. R. 11279) to enable Civil War veterans and their widows to travel on railroads at half fare; to the Committee on Interstate and Foreign Commerce.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 11280) to carry out certain obligations to certain enrolled Indians under tribal agreement; to the Committee on Indian Affairs.

By Mr. SCHNEIDER: A bill (H. R. 11281) authorizing a per capita payment of \$100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States; to the Committee on Indian Affairs.

By Mr. LETTS: A bill (H. R. 11282) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tenth Street in Bettendorf, State of Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDRESEN: A bill (H. R. 11283) providing for the hours of labor for employees in the Government custodial service; to the Committee on the Civil Service.

By Mr. HESS: A bill (H. R. 11284) to authorize the erection of a United States Veterans' Bureau hospital in the city of Cincinnati, Ohio; to the Committee on World War Veterans' Legislation.

By Mr. SUTHERLAND: A bill (H. R. 11285) to amend the Alaska game law; to the Committee on Agriculture.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 11286) to pay 50 per cent of the face value of adjusted compensation certificates to veterans of the World War, and for other purposes; to the Committee on Ways and Means.

By Mr. LA GUARDIA: Resolution (H. Res. 198) that the Attorney General be directed to investigate the proposed merger relative to the Bethlehem Steel Corporation and the Youngstown Sheet & Tube Co.; to the Committee on the Judiciary.

By Mr. LEAVITT: Concurrent resolution (H. Con. Res. 28) authorizing the appointment of a joint committee of Congress to attend the one hundred and twenty-fifth anniversary of the celebration of American independence by the Lewis and Clark expedition on July 4, 1805, to be held at Great Falls, Mont., July 4, 1930; to the Committee on Rules.

## MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the West Virginia Legislature, memorializing the Congress of the United States to authorize an additional appropriation for the construction of the United States veterans' hospital, in the State of West Virginia; to the Committee on World War Veterans' Legislation.

By Mr. GARBBER of Virginia: Memorial of the General Assembly of the State of Virginia, memorializing the Congress of the United States in relation to the tariff affecting farm products; to the Committee on Ways and Means.

By Mr. WOLVERTON of West Virginia: Memorial of the West Virginia State Legislature, urging Congress to authorize an additional appropriation of \$800,000 for the construction of the United States veterans' hospital in the State of West Virginia, pointing out that on March 5, 1930, there were 106 veterans in West Virginia deprived of proper medical care because of shortage of hospital beds, and that the present appropriation is sufficient for only a 125-bed hospital, whereas 400 beds are acutely needed to provide suitable facilities for veterans to be served by the hospital; to the Committee on World War Veterans' Legislation.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 11287) for the relief of W. R. Grace & Co.; to the Committee on Claims.

By Mr. BRAND of Ohio: A bill (H. R. 11288) granting an increase of pension to Mary E. Shyrigh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11289) granting an increase of pension to Sarah A. Cadwallader; to the Committee on Invalid Pensions.

By Mr. BUCKBEE: A bill (H. R. 11290) granting a pension to Julia Todd; to the Committee on Invalid Pensions.

By Mr. CANFIELD: A bill (H. R. 11291) for the relief of Ernest Linwood Stewart; to the Committee on Claims.

Also, a bill (H. R. 11292) granting an increase of pension to Hattie E. Neal; to the Committee on Invalid Pensions.

By Mr. CLARKE of New York: A bill (H. R. 11293) granting a pension to Annie L. C. Murray; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 11294) granting a pension to John Rufus Turner; to the Committee on Pensions.

By Mr. CULLEN: A bill (H. R. 11295) for the relief of Benjamin Hagerty; to the Committee on Military Affairs.

By Mr. DENISON: A bill (H. R. 11296) granting an increase of pension to Alice M. Eddleman; to the Committee on Invalid Pensions.

By Mr. DOUGLAS of Arizona: A bill (H. R. 11297) for the relief of Arthur Edward Blanchard; to the Committee on Naval Affairs.

By Mr. GARBER of Oklahoma: A bill (H. R. 11298) granting an increase of pension to Rachel L. James; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11299) granting an increase of pension to Maggie Reagan; to the Committee on Invalid Pensions.

By Mr. HOLADAY: A bill (H. R. 11300) granting a pension to Thomas O. Campbell; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 11301) granting an increase of pension to Isadora Ebert; to the Committee on Invalid Pensions.

By Mr. KADING: A bill (H. R. 11302) granting an increase of pension to Dora Brickner; to the Committee on Invalid Pensions.

By Mr. LAMBERTSON: A bill (H. R. 11303) granting a pension to Lucy F. Tillman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11304) for the relief of Stanton & Jones; to the Committee on War Claims.

By Mr. LANKFORD of Virginia: A bill (H. R. 11305) for the relief of John T. Carr; to the Committee on Naval Affairs.

Also, a bill (H. R. 11306) for the relief of John A. McGahy; to the Committee on Naval Affairs.

By Mr. LOZIER: A bill (H. R. 11307) granting an increase of pension to Annie L. Powers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11308) granting a pension to Elizabeth F. Harris; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 11309) granting a pension to William Woods; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 11310) for the relief of William Thibault; to the Committee on Military Affairs.

By Mr. MOUSER: A bill (H. R. 11311) for the relief of James H. Green; to the Committee on Military Affairs.

Also, a bill (H. R. 11312) granting an increase of pension to Sarah J. Ott; to the Committee on Invalid Pensions.

By Mrs. ROGERS: A bill (H. R. 11313) granting a pension to James B. Taylor; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 11314) granting a pension to Alida T. Bruce; to the Committee on Pensions.

By Mr. SPEAKS (by request): A bill (H. R. 11315) for the relief of Max M. Meyers; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 11316) for the relief of Fred C. Blenkner; to the Committee on War Claims.

By Mr. STRONG of Pennsylvania: A bill (H. R. 11317) granting a pension to Rebecca Gold; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11318) granting a pension to Annie Biery; to the Committee on Invalid Pensions.

By Mr. SULLIVAN of Pennsylvania: A bill (H. R. 11319) granting a pension to James McCarthy; to the Committee on Pensions.

By Mr. SWING: A bill (H. R. 11320) granting an increase of pension to Margaret E. Blue; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11321) for the relief of Hannah M. Gray; to the Committee on Military Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 11322) for the relief of Samuel H. Walker; to the Committee on Claims.

By Mr. WURZBACH: A bill (H. R. 11323) for the relief of Chambliss L. Tidwell; to the Committee on Claims.

Also, a bill (H. R. 11324) granting an increase of pension to Esther V. Dick; to the Committee on Invalid Pensions.

By Mr. BACON: Joint resolution (H. J. Res. 285) to readmit Cornelia Roosevelt von Zedlitz to the character and privileges of a citizen of the United States; to the Committee on Immigration and Naturalization.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6194. By Mr. ARENTZ: Memorial of the Bricklayers, Masons, and Plasterers' International Union of America, Local No. 1, Reno, Nev., urging the passage of Senate bill 3086 and House bill 9230; to the Committee on the Post Office and Post Roads.

6195. By Mr. ARNOLD: Petition of citizens of Mount Carmel, Ill., urging the passage of the Spanish War pension bill; to the Committee on Pensions.

6196. By Mr. BACHMANN: Petition of J. R. Dickson, Cameron, W. Va., and other citizens of Marshall County, urging prompt action on Senate bill 476 and House bill 2562, providing

for increased rates of pension to veterans of the Spanish-American War; to the Committee on Pensions.

6197. By Mr. BACON: Petition of citizens of Long Island, N. Y., on behalf of increase of pension to Spanish-American War veterans and widows of veterans; to the Committee on Pensions.

6198. By Mr. BLACKBURN: Petition signed by Thurman Nicholson, Lillie Mac Nicholson, H. W. Jones, and 79 other citizens of Grant County, Ky., praying Congress for the speedy enactment into law of House bill 2562, granting increased pensions to all veterans of the Spanish-American War; to the Committee on Pensions.

6199. Also, petition signed by Walter Hampton, Andrew Dykes, Rev. P. Turner, and numerous other citizens of Clark County, Ky., praying for the speedy enactment into law of House bill 2562 and Senate bill 476, increasing the pensions of veterans of the Spanish-American War; to the Committee on Pensions.

6200. By Mr. BLOOM: Petition of citizens of New York protesting against the Lankford, or any other congressional Sunday law for the Nation's Capital, prohibiting innocent recreation and lawful labor on Sunday, the first day of the week, because it would be in violation of the first amendment to the Constitution which says: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof"; to the Committee on the District of Columbia.

6201. By Mr. BRUNNER: Petition of 100 citizens of Queens County, N. Y., urging Congress to pass favorably at an early date upon Senate bill 476 and House bill 2562, providing for increased rates of pension to Spanish War veterans; to the Committee on Pensions.

6202. By Mr. CAMPBELL of Iowa: Petition of 57 citizens of Cherokee County, Iowa, urging the speedy consideration and passage of Senate bill 476 and House bill 2562, which provide for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6203. By Mr. CHALMERS: Petition signed by residents of Toledo, Ohio, urging the passage of legislation increasing the pensions of Spanish War veterans; to the Committee on Pensions.

6204. By Mr. CLARKE of New York: Petition of James W. Burnside and 36 citizens of East Branch, N. Y., asking support of House bill 2562 and Senate bill 476, increasing pensions of Spanish War veterans; to the Committee on Pensions.

6205. By Mr. CONNERY: Petition of members of Boston Fire Department Post of American Legion of Massachusetts, asking Congress to pay face value of adjusted-service certificates; to the Committee on Ways and Means.

6206. Also, petition of members of Post 6, American Legion, Lynn, Mass., asking Congress to pay face value of adjusted-service certificates; to the Committee on Ways and Means.

6207. By Mr. COOPER of Wisconsin: Memorial of Woman's Christian Temperance Union of Sharon, Walworth County, Wis., urging the passage of a bill for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

6208. By Mr. COYLE: Memorial of Monroe County Pomona Grange, No. 64, adopted in regular session at Swiftwater, Monroe County, Pa., March 22, 1930, favoring the adoption by Congress of the export debenture plan as proposed by the National Grange; to the Committee on Ways and Means.

6209. Also, resolution of Easton Chapter of Hadassah, Easton, Northampton County, Pa., adopted March 11, 1930, opposing any change in the calendar which in any manner endangers the fixity of the Sabbath, and praying the President and the Congress not to adopt any resolution or bill by which the existing fixed periodicity of the Sabbath would be destroyed; to the Committee on Foreign Affairs.

6210. By Mr. CRAMTON: Resolution of the city council of the city of East Detroit, Mich., urging cash payment to World War veterans of adjusted compensation; to the Committee on World War Veterans' Legislation.

6211. By Mr. DALLINGER: Petition of certain citizens of San Francisco, praying for the enactment of House bill 7979; to the Committee on the Civil Service.

6212. By Mr. DENISON: Petition of all the members of the Order of Railroad Telegraphers of the Illinois Central System, urging speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6213. By Mr. EATON of New Jersey: Petition of 67 citizens of Mercer County, N. J., favoring increased rates of pension for Spanish War veterans; to the Committee on Pensions.

6214. By Mr. GARBER of Oklahoma: Petition of World Conference on Narcotic Education, New York, N. Y.; to the Committee on Foreign Affairs.

6215. Also, petition of Medical Society of Muskogee County, Okla., protesting against House bill 9054, Porter narcotic bill; to the Committee on Foreign Affairs.

6216. Also, petition of Harris-Seybold-Potter Co., Cleveland, Ohio, making protest against reduction of tariff on printing presses; to the Committee on Ways and Means.

6217. Also, petition of Mothercraft Society of Maternity Hospital and Dispensary Association, Milwaukee, Wis., making protest against House bill 9888 and advocating, supporting, and insisting upon enactment of House bill 10574, bill of Hon. GODFREY GOODWIN; to the Committee on Interstate and Foreign Commerce.

6218. Also, petition of American Nurses' Association, New York, in support of House bill 10574, Mr. GOODWIN's bill; to the Committee on Interstate and Foreign Commerce.

6219. By Mr. HADLEY: Petition of a number of citizens of Sedro Woolley, Wash., urging increased rates of pension for Spanish War veterans; to the Committee on Pensions.

6220. By Mr. HANCOCK: Petition submitted by R. L. Bell, of Syracuse, N. Y., favoring the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6221. By Mr. JOHNSON of Indiana: Petition of George M. Fry and others, of Terre Haute, Ind., for the increase of Spanish War pensions; to the Committee on Pensions.

6222. Also, petition of Charles Cochran and others of Terre Haute, Ind., for the increase of Spanish War pensions; to the Committee on Pensions.

6223. By Mr. KADING: Petition signed by residents of Horicon, Wis., requesting immediate consideration of House bill 2562 providing for increased rates of pension to the men who served in the armed forces of the United States during the war with Spain; to the Committee on Pensions.

6224. Also, petition signed by citizens of Watertown, Wis., requesting immediate and favorable action on House bill 2562, providing for increased rates of pension to men who served during the Spanish-American War; to the Committee on Pensions.

6225. By Mr. KEARNS: Petition of 52 residents of Ripley, Brown County, Ohio, in support of the bill to increase the rates of pension for Spanish War veterans; to the Committee on Pensions.

6226. By Mr. KORELL: Petition of residents of Portland, Oreg., favoring passage of legislation to increase pensions of the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6227. Also, petition of residents of Multnomah County, Oreg., advocating the passage of House bill 8976; to the Committee on Pensions.

6228. By Mr. MAPES: Petition of 18 employees of the post office at Grand Rapids, Mich., recommending the enactment of the bill providing for an increase in the pay of post-office laborers; to the Committee on the Post Office and Post Roads.

6229. By Mr. NEWHALL: Petition of citizens of Kenton County, Ky., urging the speedy consideration and passage of House bill 2562 and Senate bill 476, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6230. By Mrs. NORTON: Petition of D. H. Bartley, jr., 765 Summit Avenue, Jersey City, N. J., and many other residents, favoring the passage of House bill 7884; to the Committee on the District of Columbia.

6231. By Mr. FRANK M. RAMEY: Resolution of Optimist Club, of Springfield, Ill., urging support of House bill 6603 and Senate bill 2540, regarding a 44-hour week for postal employees; to the Committee on the Post Office and Post Roads.

6232. By Mr. SELVIG: Petition of the St. Louis Board of County Commissioners, opposing the mergers of Northern Pacific-Great Northern Railways; to the Committee on Interstate and Foreign Commerce.

6233. Also, petition of the county board of St. Louis County, Minn., urging enactment of House bill 1410 aiding farmers by making loans to drainage districts; to the Committee on Irrigation and Reclamation.

6234. By Mr. SMITH of West Virginia: Memorial of the West Virginia Legislature adopted on March 25, 1930, memorializing the Congress of the United States to authorize an additional appropriation for the construction of the United States veterans' hospital in the State of West Virginia; to the Committee on World War Veterans' Legislation.

6235. By Mr. SWANSON: Petition of R. C. Pickering and 61 others of Treynor, Iowa, and vicinity, urging increased Spanish War pension rates; to the Committee on Pensions.

6236. By Mr. SWING: Petition of 21 citizens of San Diego, Calif., urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6237. Also, petition of 81 citizens of La Jolla, Calif., urging the passage of Senate bill 1468, to amend the food and drugs act of June 30, 1906, by extending its provisions to tobacco and tobacco products; to the Committee on Interstate and Foreign Commerce.

6238. By Mr. TABER: Petition of citizens of Geneva, N. Y., favoring the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6239. By Mr. WILLIAMS: Resolution of Waldon Brackney and 61 others, of Sanger, Tex., favoring the passage of the Spanish War pension bill, S. 476 and H. R. 2562; to the Committee on Pensions.

6240. By Mr. WINGO: Petition of citizens of Booneville, Alma, and Fort Smith, Ark., in behalf of Senate bill 476 and House bill 2562, increasing pensions of Spanish-American War veterans; to the Committee on Pensions.

6241. By Mr. WURZBACH: Petition of Clark R. Burr, J. E. Sanks, E. H. Sanks, and 32 other citizens of San Antonio, Bexar County, Tex., urging speedy consideration and passage of House bill 2562 and Senate bill 476; to the Committee on Pensions.

## SENATE

WEDNESDAY, April 2, 1930

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O Thou whose dwelling is the light of setting suns and the round ocean and the living air and the blue sky and in the mind of man, look upon us with Thy great compassion as we gather here; our presence is our prayer, our need the only plea we dare to make, Thy purposes the one assurance we possess. Speak to us not only in the silence but in each tumultuous thought, not only from the past but also in the present, for now is the accepted time in which to make some little way with plodding steps along the path of progress.

Bless everyone in this fair land, that we may be worthy of our freedom, persistent in reform, active in benevolence, and faithful to our trust. Satisfy us with Thy mercy from day to day, that in fullness of joy we may walk before Thee with a perfect heart. Through Jesus Christ our Lord. Amen.

The VICE PRESIDENT resumed the chair and directed that the Journal be read.

### THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum. The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Gillett	Kendrick	Shortridge
Barkley	Glenn	McCulloch	Simmons
Bingham	Goff	McKellar	Smoot
Black	Goldsborough	McNary	Steak
Blease	Gould	Metcalf	Stetwer
Borah	Hale	Moses	Stephens
Bratton	Harris	Norbeck	Sullivan
Brookhart	Harrison	Norris	Swanson
Capper	Hastings	Oddie	Thomas, Idaho
Caraway	Hatfield	Overman	Tydings
Connally	Hayden	Phipps	Vandenberg
Copeland	Hebert	Pine	Wagner
Couzens	Heflin	Pittman	Walcott
Dale	Howell	Robinson, Ind.	Walsh, Mass.
Dill	Johnson	Schall	Walsh, Mont.
Fess	Jones	Sheppard	Watson
George	Kean	Shipstead	Wheeler

Mr. NORRIS. I desire to announce that the senior Senator from North Dakota [Mr. NYE] is detained from the Chamber on account of illness in his family.

I also wish to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] and the junior Senator from Wisconsin [Mr. BLAINE] are both absent from the city.

Mr. SHEPPARD. I wish to announce that the Senator from Missouri [Mr. HAWES], the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I also wish to announce that the junior Senator from Tennessee [Mr. BROCK] is absent because of illness in his family.

I also desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

I further wish to announce that the Senator from Oklahoma [Mr. THOMAS] is necessarily absent on business of the Senate, participating in an inspection of certain Indian reservations in